

IN THE COURT OF HON'BLE JUDGE,
CITY CIVIL COURT AND ADDITIONAL SESSIONS JUDGE,
GREATER BOMBAY
(DESIGNATED COURT FOR THE PREVENTION OF MONEY
LAUNDERING ACT, 2002.
P.M.L.A. SPECIAL CASE NO. OF 2019

ECIR/03/MBO-I/2018

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DIRECTORATE OF ENFORCEMENT

Through

Smt. Archana Salaye,
Assistant Director,
Mumbai Zonal Office, Mumbai

..... **COMPLAINANT**

Versus

1. Shri Nirav Deepak Modi, Aged 48 years
S/o. Mr. Deepak Kumar Modi,
R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
Controller/owner of
 - i. 'M/s Diamond R US',
At - 1110, Prasad Chambers,
Opera House, Mumbai.
 - ii. 'M/s Solar Exports',
At - 15-B, Nagindas Mansion, 4th Floor,
61 BJSS Road, Opera House, Mumbai and;
 - iii. 'M/s Stellar Diamond',
At 15-B, Nagindas Mansion, 4th Floor,
61 BJSS Road, Opera House, Mumbai.
2. Shri Neeshal Deepak Modi, aged about 34 years,
S/o. Shri Deepak Kumar Modi
R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
Ex-Partner of
 - i. M/s Diamond R US, Mumbai,
 - ii. M/s Solar Exports, Mumbai and
 - iii. M/s Stellar Diamond, Mumbai.



3. Shri Nehal Deepak Modi
Son of Shri Deepak Kumar Modi
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
4. Ms. Purvi Maiank Mehta @ Ms. Purvi Deepak Modi,
aged around 45 years, Wife of Shri Maiank Mehta
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
5. Mr. Maiank Mehta, s/o Sh. Bharat Mehta
Flat A 7/F BL, 1 Estoril Court, 55, Garden Road,
Mid-Levels Hong Kong
6. Ms. Ami Nirav Modi, aged around 43 years,
Wife of Mr. Nirav Modi
Penthouse, Flat No 126, 127 & 128,
Samudra Mahal, Dr A B Road, Worli,
Mumbai -400018.
7. Shri Deepak Kumar Modi,
aged around 72 years
Son of Late Keshavlal Modi,
R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
8. Shri Gokulnath Shetty, aged about 61 years
Dy. Manager (retired), Punjab National Bank,
8, Sujata, Plot No. 12/324, TPS-III,
Kastur Park, Borivali (West), Mumbai
9. Shri. Mihir Bhansali, Aged around 42 Years
s/o Shri Rashmi Kiritkumar Bhansali
211, Casa Blanca, 39, Cuff Parade,
Colaba, Mumbai 400 005.
10. Shri Aditya Nanavati, Aged around 34 Years,
G/F, 99B Robinson Road, Mid-levels, Hong Kong



11. Solar Exports
(through Mr. Nirav Deepak Modi)
15, Nagindas Mansion, J.S.S. Road,
Opera House, Mumbai 400 004
12. Stellar Diamond
(through Mr. Nirav Deepak Modi)
15, Nagindas Mansion, J.S.S. Road,
Opera House, Mumbai 400 004
13. Diamonds R US
(through Mr. Nirav Deepak Modi)
1110, Prasad Chambers,
Opera House, Mumbai 400 004.
14. Firestar International Pvt. Ltd.,
(through Mr. Nirav Deepak Modi)
A-E 4050, 4th Floor, A Tower,
East Wing, Bharat Diamond Bourse,
G Block, BKC, Bandra East, Mumbai 51
15. Neeshal Merchandizing Private Limited,
(through Mr. Nirav Deepak Modi)
No.64-H/1, Ground Floor, Bansilal Building,
J. S. S. Road, Opera House, Mumbai 400004
16. Belvedere Holdings Group Ltd. (British Virgin Islands)
Through Ms. Purvi Maiank Mehta @ Ms. Purvi Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
17. Nirav Modi Ltd. (United Kingdom)
Through Mr. Nirav Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
18. Yanike Properties Ltd.
Through Mr. Nirav Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26



19. Diamond Holdings SA. (Switzerland)
Through Mr. Nirav Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
20. Central Park Real Estate LLC. (United States of America)
Ithaca Trust Through Mr. Nirav Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
21. Pavilion Point Corporation.
Through Mr. Maiank Mehta and Purvi Maiank Mehta
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
22. Firestar Diamond International Private Limited
Through Mr. Nirav Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
23. Radashir Jewelry Company Private limited
Through Mr. Nirav Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
24. Rhythm House Private Limited:
Through Mr. Nirav Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
25. Pacific Diamonds FZE,
Through Mr. Nirav Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26
26. Fine Classic FZE,
Through Ms. Purvi Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26



27 Firestar Diamond FZE
Through Mr. Nirav Deepak Modi,
c/o. R/o 4, Grosvenor House, 2nd Floor,
Peddar Road, Mumbai-26

.....ACCUSED

Supplementary Complaint under Section 45 2nd proviso of PMLA, 2002 against the above-named Accused persons for commission of offence of Money Laundering, defined under Section 3 and punishable under Section 4 of the Prevention of Money Laundering Act, 2002.

MAY IT PLEASE YOUR HONOUR: -

The Complainant is the Assistant Director, Directorate of Enforcement, Ministry of Finance, Department of Revenue, Govt. of India, 4th Floor, Kaiser-I-Hind, Currimbhoy Road, Ballard Estate, Mumbai – 400 001. By virtue of sub-Para (ii) of the second proviso of Section 45 of the Prevention of Money Laundering Act, 2002, the Assistant Director of Enforcement Directorate is authorized by the Central Government vide Order dated 11.11.2014 issued from F. No. 6/14/2008-ES to file this complaint for offence punishable under Section 4 of the Prevention of Money Laundering Act, 2002 (here-in-after referred to as "PMLA, 2002").

2. BRIEF FACTS: -

2.1 Facts and circumstances of the case leading to the filing of this application is that on the basis of complaint filed by Punjab National Bank, Zonal Office, Mumbai, the CBI, BS & FC, Mumbai registered a FIR No. RCBSM2018E0001 dated 31.01.2018. It has been alleged in the FIR that:

- (i) The complainant bank has stated that on preliminary verification of records, it was observed that Shri Gokulnath Shetty, the Dy. Manager, (since retired 31.05.2017), who was posted at the said branch (Mid Corporate Branch, Brady House, Mumbai) since 31.03.2010 and was working in the Foreign Exchange Department looking after the Import Section and Shri Manoj Hanumant Kharat, Single Window Operator, Punjab National Bank had fraudulently issued LOUs without following the prescribed procedure by obtaining required request applications, documents and approval of the authorities thereto and without making entries in the Bank system avoiding



detection of the transactions, so made, transmitted (Society for Worldwide Interbank Financial Telecommunications) SWIFT instructions to the overseas branches of Indian Banks for raising Buyers Credit & funding the Nostro Accounts of PNB. The funds so raised for payment of Import Bills have not been utilized for such purposes in many cases.

- (ii) The complainant also stated that scrutiny of the records of SWIFT messages revealed that the above-named accused Shri Gokulnath Shetty and Shri Manoj Hanumant Kharat, fraudulently issued 8 LOUs detailed below amounting to USD 44225812.10 (equivalent to Rs. 280,70,12,293.98 @ Rs. 63.47 per USD).

Sr. no	Details of company/firm	Amount (in USD)	Date of issue of LOU	Due date	Bank
1.	Diamonds R Us	4415791.96	09.02.2017	25.01.2018	Allahabad Bank at Hong Kong
2.	Solar Exports	4335391.38	09.02.2017	25.01.2018	Allahabad Bank at Hong Kong
3.	Diamonds R Us	5942017.70	10.02.2017	25.01.2018	Allahabad Bank at Hong Kong
4.	Solar Exports	5843161.93	10.02.2017	25.01.2018	Allahabad Bank at Hong Kong
5.	Stellar Diamond	6093321.10	10.02.2017	25.01.2018	Allahabad Bank at Hong Kong
6.	Diamonds R Us	5856885.00	14.02.2017	25.01.2018	Axis Bank at Hong Kong
7.	Solar Exports	5862251.03	14.02.2017	25.01.2018	Axis Bank at Hong Kong
8	Stellar Diamond	5877064.00	14.02.2017	25.01.2018	Axis Bank at Hong Kong

Further, the funds so raised for payment of Import Bills have not been utilized for such purposes in many cases.

- (iv) Thus, the above facts and circumstances prima facie disclosed that Shri Nirav Modi, Shri Neeshal Modi, Smt. Ami Nirav Modi, Shri Mehul Chinubhai Choksi, all partners of M/s Diamond R US, M/s Solar Exports and M/s Stellar Diamond in conspiracy with Shri Gokulnath Shetty, Deputy Manager (retd.), Punjab National Bank, Manoj Hanumant Kharat, Single Window Operator, Punjab National Bank and other unknown persons committed the offence of cheating against Punjab National Bank and caused a wrongful loss. The public servants committed abuse of official position to cause pecuniary advantage to M/s Diamond R US, M/s Solar Exports and M/s Stellar Diamond and wrongful loss of Rs. 280.70 crore to Punjab National Bank.



(v) In view of the above, the FIR has been registered under sections 120-B r/w 420 of IPC, 1860 read with Section 13(2) read with 13(1)(d) of PC Act, 1988 against following persons/individuals/entities: -

- (a) Shri Nirav Modi, Partner of M/s Diamond R US, M/s Solar Exports & M/s Stellar Diamond.
- (b) Shri Neeshal Modi, Partner of M/s Diamond R US, M/s Solar Exports & M/s Stellar Diamond.
- (c) Smt. Ami Nirav Modi, Partner of M/s Diamond R US, M/s Solar Exports & M/s Stellar Diamond.
- (d) Shri Mehul Chinubhai Choksi, Partner of M/s Diamond R US, M/s Solar Exports & M/s Stellar Diamond.
- (e) Shri Gokulnath Shetty, Dy. Manager (retd.), Punjab National Bank,
- (f) Shri Manoj Hanumant Kharat, Single Window Operator, Punjab National Bank, & Ors.

The copy of the FIR is enclosed herein and marked as **Annexure - A.**

2.2 That as Sections 120B & 420 of IPC & Section 13(2) r/w section 13(1)(d) of PC Act, 1988 are scheduled offences under Part-A of PMLA, 2002, an ECIR/MBZO-I/03/2018 dated 14.02.2018 was recorded by the Directorate of Enforcement ('ED') for investigation of the offence of money laundering as defined under Section 3 punishable under Section 4 of PMLA, 2002 against Shri Nirav Modi, Shri Neeshal Modi, Smt. Ami Nirav Modi, Shri Mehul Chinubhai Choksi, Shri Gokulnath Shetty, Shri k Kharat and Others. A copy of the ECIR is enclosed herein and marked as **Annexure - B.**

2.3 That PNB, vide further letter dated 13.02.2018 informed that the above said partnership firms i.e. *M/s Diamond R US*, *M/s Solar Exports* and *M/s Stellar Diamond* have got fraudulently issued a total 150 LOUs aggregating to USD 1015.35 million equivalent to Rs. 6498.20 crore during the period from Feb, 2017 to May, 2017 from PNB, Brady House branch by using the above modus operandi, as mentioned in the FIR. The said amount included the LOUs amount mentioned in the subject FIR. Hence the total proceeds of crime amount to **Rs.6498.20 crore**. The firm/entities wise breakup of the said LOUs amount is as under: -



Sr. No.	Name of the firm/entity	Total amount of LOUs (Rs. in crore)	No. Of LOUs
1.	M/s Diamond R US	2210.61	51
2.	M/s Solar Export	2152.88	50
3.	M/s Stellar Diamond	2134.71	49
Total		6498.20	

Copies of the PNB's letters dated 13.02.2018 and 14.02.2018 are enclosed herein and marked as **Annexure - C**.

2.4. In the meanwhile, a charge sheet dated 14.05.2018 was filed by CBI- BS & FC, Mumbai in the above said FIR before Special Court for CBI Cases, Sessions Court, Mumbai and is pending trial. As per the said charge sheet, 24 entities/persons have been charged. As per the said charge sheet, the accused therein have been charged under section 120-B r/w.420,409 of IPC & section 13(2) r/w 13(1)(c) & (d) of Prevention of Corruption Act, 1988 which are the scheduled offences under Para 1 & 8 of part-A of schedule of PMLA, 2002. Further, the said accused have been charged for conspiring and cheating the PNB & thereby causing a wrongful loss to the bank. It is revealed that the 8 LOUs which were issued by Gokulnath Shetty during the period 09.02.2017 to 14.02.2017 in connivance with other accused persons without entering in the CBS system on behalf of the said 03 firms which were due for payment on 25.01.2018 were not utilized for payment to the overseas suppliers but the underlying funds were dishonestly and fraudulently utilized for making repayments to other banks.

The copy of the charge sheet is enclosed herein and marked as **Annexure-D**. The Complainant craves leave to rely upon the said FIR and charge sheet filed by CBI-BS&FC, Mumbai, at the time of trial.

INVESTIGATION UNDER PMLA:-

3.1 Brief Background of the case

In the given background, investigation was initiated by this Directorate into the offences of money laundering by the suspected persons.

3.1.1 Since it appeared that there are several companies/firms owned by Nirav Modi, which were interconnected through financial transactions, the details of such companies and their shareholding pattern



was obtained and the premises of group companies were searched in terms of Section 17(1) of PMLA, 2002.

3.1.2. Statement of Shri Avneesh Nepalia, Complainant, working as Deputy General Manager at PNB Zonal office, Mumbai was recorded on 20.02.2018 u/s 50(2) & (3) of the PMLA, 2002. During his statement, Shri Nepalia reiterated the facts of the FIR. He *inter alia* stated that Shri Nirav Modi, who is promoter of Firestar Group of Companies, is partner of M/s Solar Exports, M/s Stellar Diamond and M/s Diamond R US; that all the three firms are having current accounts in PNB, Brady House Branch. On being asked about LOU, Shri Nepalia stated that:-

"LOU is a Letter of Undertaking issued by the applicant importer's bank to an overseas bank or overseas branches of Indian Banks, for obtaining Buyer's Credit for underlying import transaction/s of the importer client. The applicant scouts the overseas banks for best quotes of rate of interest for buyer's credit and accepts the most competitive offer. Thereafter the importer client approaches his banker in India with a request to issue Letter of Undertaking on his behalf to the overseas bank, for obtaining the buyer's credit from the funding bank overseas. The LOU for buyer's credit can only be issued if the client has adequate credit facility (Non-Fund based) and/or given sufficient cash margin (approx. 110% of the amount of buyer's credit). Once sanctioned against limit and/or cash margin by the authorities, the LOU is issued through SWIFT messaging system to overseas banks and branches (in format MT-799). On receipt of the LOU from the importer's banker in India, the Overseas lending bank will fund the Nostro account of the Indian Bank and send a return confirmatory message by SWIFT (again MT-799 is used). This message contains amount of funds remitted, date of funding, Rate of interest of the Buyer's Credit, Period of the credit, the maturity date and the Nostro account of the overseas bank in which funds have to be returned on due date of maturity with interest. Once funds are received in the applicant Bank's NOSTRO account with reference to buyer's credit sought, the applicant branch makes debits and pays the overseas exporter who has drawn the bill on the importer. On maturity of the above-mentioned buyer's credit the applicant (Importer) needs to either provide funds in his current account maintained at the branch or submit debit authority utilizing his credit limits if any sanctioned with regards to buyer's credit. From this the bank offset/repay with interest the buyer's credit on due date to the overseas funding bank."



3.1.3. Shri Nepalia further stated that the said three entities (the Nirav Modi Group firms) approached the Bank with a request to send a Letter of Undertaking on their behalf to the overseas branch of Indian Banks, against certain import documents raised by the overseas supplier; that the then Officer of the branch fraudulently & by cheating the bank, in connivance with the said three firms, without proper sanction/cash margin, etc. and without taking any import documents, bypassed the (Core Banking System) CBS accounting system of the Bank and sent LOU's to the Overseas branch of the Indian Banks with request to fund the Bank's Nostro account; that the LOUs were sent through SWIFT system of the PNB; that the overseas branch of the Indian Banks used to fund the PNB's Nostro account immediately the next day and in many cases the same day (on which they received the LOUs from PNB); that the money received by the Bank in the Nostro account is supposed to be used for making payment directly to the overseas supplier in retirement of the underlying import bills; that however in the present case, it is seen that the money was mostly used for paying directly to the Overseas Branches of Other Indian Banks for meeting the previous buyer's credit obligations of the Nirav Modi Group firms; that in effect, most of the transactions were for extinguishing the existing buyer's credit liabilities, availed earlier from Indian bank branches abroad; that it has been noticed that since 28.04.2017, the proceeds of such buyer's credit funding were also used to pay overseas firms.

Shri Avneesh Nepalia further submitted the details of the firm wise exposure on account of fraudulent LOUs as under:-

Sr. No.	Name of the firm/entity	Total amount of LOUs (Rs. in crore)
1.	M/s Diamond R US	2210.61
2.	M/s Solar Export	2152.88
3.	M/s Stellar Diamond	2134.71
	Total	6498.20

3.1.4. It is pertinent to submit the details of Mr. Nirav Modi related group of companies here. Mr. Nirav Modi started a partnership firm namely Diamonds R US in 1997 alongwith Mr. Mehul Choksi, who is his uncle. In 2001, he floated a company named Firestone International Pvt. Ltd. from the same premises as that of M/s Diamond R US. The said company was later renamed as M/s. Firestar International Pvt. Ltd. in 2006. He later started two other partnership firms namely Solar Exports and Stellar Diamond. The staff working in all these



companies was the same. Subsequently, many other companies were floated by Mr. Nirav Modi. Some of the companies were opened only to acquire properties while some were doing business of diamond trading, while others were only book companies. Addresses and authorised signatories of many of the companies are common. The shareholding pattern of the below mentioned companies establishes that Mr. Nirav Modi is the final beneficiary of all these companies:-

Shareholding Pattern in Firestar Group			
SR. NO.	Name of the Company & Registered Office	EQUITY SHAREHOLDERS DETAILS	
		NAME	%
1.	Firestar International Private Limited	Nirav Deepak Modi	49.12
		ANM Enterprises Private Limited	29.04
		Other companies owned by Nirav Modi	21.84
		Total	100.00
2	ANM Enterprises Private Limited	Nirav Deepak Modi	99.90
		Firestone Trading Private Limited	0.10
		Total	100.00
3	Firestar Diamond International Private Limited	Firestar International Private Limited	100.00
		Total	100.00
4	Ami Merchandising Private Limited	Nirav Deepak Modi	99.99
		Hemant Dahyalal Bhatt	0.01
		Total	100.00
5	Bentley Properties Private Limited	Nirav Deepak Modi	99.99
		Hemant Dahyalal bhatt	0.01
		Total	100.00
6	Camelot Enterprises Private Limited	Nirav Deepak Modi	99.95
		Diamonds "R" US	0.05
		Total	100.00
7	Camelot Trading Private Limited	Nirav Deepak Modi	100.00
		Total	100.00
8	Dream Trading Private Limited	Nirav Deepak Modi	99.90
		Firestone Trading Private Limited	0.10
		Total	100.00
9	Devdatta Enterprises Private Limited	Nirav Deepak Modi	99.90
		Firestone Trading Pvt. Ltd.	0.10



		Total	100.00
10	Firestar Diamond Private Limited	Nirav Deepak Modi	0.43
		ANM Enterprises Private Limited	99.57
		Total	100.00
11	Firestone Trading Private Limited	Nirav Deepak Modi	100.00
		Hemant Dahyalal Bhatt	0.00
		Total	100.00
12	Mak Business Enterprise Private Limited	Firestar International Private Limited	100.00
		Total	100.00
13	NDM Enterprises Private Limited	Nirav Deepak Modi	99.90
		Firestone Trading Private Limited	0.10
		Total	100.00
14	Neeshal Marketing Private Limited	Hemant Bhatt	0.10
		Rakhi Bhansali	99.90
		Total	100.00
15	Neeshal Merchandising Private Limited	NDM Enterprises Private Limited	0.05
		Hemant Bhatt	0.05
		Rakhi Bhansali	99.90
		Total	100.00
16	Neeshal Trading Private Limited	Nirav Deepak Modi	99.90
		Firestone Trading Private Limited	0.10
		Total	100.00
17	Radashir Jewelry Company Private Limited	Nirav Deepak Modi	2.48
		Paragon Merchandising LLP	97.52
		Total	100.00
18	Palasa Developers Private Limited	Nirav Deepak Modi	99.90
		Hemant Dahyalal Bhatt	0.10
		Total	100.00
19	Paundra Enterprises Private Limited	Firestar Diamond International Private Limited	99.99
		Firestar International Private Limited	0.01
		Total	100.00
20	Walkers Developer Private Limited	Nirav Deepak Modi	99.90
		Hemant Dahyalal Bhatt	0.10
		Total	100.00
21	Neeshal Enterprises LLP	Nirav Deepak Modi	99.90
		Firestone Trading Private Limited	0.10



			100.00
22	Panchajanya Diamonds LLP	Nirav Deepak Modi	99.90
		Firestone Trading Private Limited	0.10
			100.00
23	Paragon Jewellery LLP	Nirav Deepak Modi	99.90
		Firestone Trading Private Limited	0.10
			100.00
24	Paragon Merchandising LLP	Nirav Deepak Modi	99.90
		Firestone Trading Private Limited	0.10
			100.00
25	Rhythm House Private Limited	Firestar Diamond International Private Limited	99.83
		Firestar International Private Limited	0.17
			100.00
26	Nirav Modi Private Limited	Firestar International Private Limited	99.99
		Firestar Diamond International Private Limited	0.01
			100.00

3.1.5. Apart from these, there are number of **subsidiaries and step-down subsidiaries** of Firestar International Pvt. Ltd. The list is as given below: -

Details of subsidiaries and step-down subsidiaries

<u>Sr. No.</u>	<u>Name of the Company</u>	<u>Place of Incorporation</u>	<u>Principal Activities</u>	<u>% Holding as on 31st March, 2017</u>
	Parent Company			
A	Firestar International Private limited	India	Trading in Rough and Polished Diamonds and manufactured jewelry	
	Direct subsidiaries			
1	Firestar Diamond International Private Limited	India	Trading in Rough and Polished Diamonds and manufactured jewelry and retailing of jewelry	100%
2	Firestar Diamond International Private Limited	India	Trading in Rough and Polished Diamonds	
3	Firestar Holding limited	Hong Kong	Investment holding	100%
4	Firestar Group Inc.	USA	Investment holding	100%



	Indirect Subsidiaries subsidiaries of :			
B	<u>Firestar Holding Limited</u>			
1	Firestar Diamond Limited	Hong Kong	Trading in Rough and Polished Diamonds and manufacture jewelry and retailing of jewelry	100%
2	Firestar Jewellery Limited	Hong Kong	Trading in Rough and Polished Diamonds	100%
3	Nirav Modi Limited	Hong Kong	Retailing of jewelry	100%
4	Firestar Diamond International Inc.	USA	Trading in Rough and Polished Diamonds	100%
5	Firestar Diamond BVBA	Belgium	Trading in Rough and Polished Diamonds	100%
6	Nirav Modi Jewels BVBA	Belgium	Retailing of jewelry	N.A.
7	Firestar Diamond FZE	UAE	Trading in Rough and Polished Diamonds and trading of Jewelry	100%
8	Firestar Diamond and jewellery FZCO	UAE	Manufacturing, Trading and retailing of Jewelry	100%
9	Firestar Diamond PTE	Singapore	Retailing of Jewelry	99.80%
11	Firestar Jewellery Inc	USA	Retailing of Jewelry	N.A.
12	Synergies Corporation (with effect from October 1, 2016)	USA	Investment Holding	100%
C	<u>Nirav Modi Limited, Hong Kong</u>			
1	Nirav Modi Limited	France	Retailing of Jewellery	100%
2	Nirav Modi Limited	UK	Retailing of Jewelry	100%
3	Firestar Jewellery Inc	USA	Retailing of Jewelry	100%
4	Nirav Modi Jewels BVBA	Belgium	Retailing of Jewelry	99%
5	Nirav Modi Limited	Macau	Retailing of Jewelry	99.99%
D	<u>Synergies Corporation</u>			
1	A. Jaffe Inc	USA	Trading and Jewellery	95.09%
E	<u>Firestar Group Inc</u>			
F	<u>Firestar Diamonds Inc</u>	USA	Trading rough and polished diamonds, manufacture and trading of Jewelry and retailing of jewelry	95.09%
G	<u>Firestar Diamond Inc</u>			
1	Fantasy inc.	USA	Trading and Retailing of jewelry	100%



H	<u>Firestar Diamond BVBA</u>			
1	FS Diamonds (Proprietary) limited	South Africa	Trading Rough and Polished Diamonds	74%
2	Firestar Diamond LLC	Armenia	Trading Rough and Polished Diamonds	100%
3	Firestar Diamond Russia	Russia	Trading Rough and Polished Diamonds	100%

During the course of investigation, scrutiny of documents/accounts in this case and of statements of various employees/related persons revealed that apart from the above listed companies, there were few companies which were only created in order to facilitate layering and laundering of funds obtained fraudulently from PNB and to camouflage the real intention and identity of beneficiaries of the funds siphoned off from PNB. The list of such companies is as given below: -

Sr.No	Name of Company
1	Auragem Company Limited, Hong Kong
2	Brilliant Diamonds Ltd, Hong Kong
3	Diagems FZC, UAE
4	Eternal Diamonds Corporation Limited Hong Kong
5	Pacific Diamonds, UAE
6	Tri Color Gems, UAE
7	Universal Fine Jewellery, UAE
8	Fancy Creations Company Ltd, UAE
9	Unique Diamond And Jewellery FZC, Ajman, UAE
10	Vista Jewellery RZE, Fujairah, UAE
11	Sino Traders Limited, Hong Kong
12	Sunshine Gems Ltd, Hong Kong
13	Unity Trading Company, UAE
14	Hamilton Precious Traders, UAE
15	Himalayan Traders FZE, Ajman, UAE
16	DG Brother FZE, UAE
17	World Diamond Distribution FZE, UAE
18	Fine Classic FZE, UAE
19	Jade Bridge Holdings, Cyprus
20	Forecom Worldwide Investments Limited

3.1.6. That some of the directors of these so-called customers/vendors of foreign companies were in reality, employees of the Firestar group. The said dummy directors were drawing salary from various Firestar group companies.

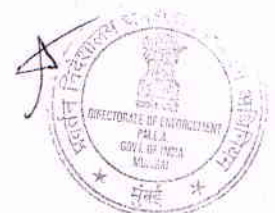


The names and salary details of few of these dummy directors is as given below:

Sr. No.	Customer	Director	Salaries as per pay slip of Firestar International Ltd. (in Rs.)	Share Capital of the Company	Business transaction with Firestar International Ltd. and Firestar Diamond International Pvt. Ltd. in 2015-16 (Rs. In cr)
1	Brilliant Diamond Corp Ltd.	Bhavik Shah	10,478/-	3,000,000 USD	959
2	Eternal Diamond	Ashish Bagaria	8,133/-	2,000,000 USD	929
3	Fancy Creation Co. Ltd.	Nilesh Khetani	15,657/-	7,8000,000 HKD	596
4	Vista Jewelry FZE	Netaji Mohite	13,500/-	8,580,000 HKD	596
5	World Diamond Distribution FZE	Sandeep Mistry	13,594/-		467
SUPPLIERS					
6	Sino Traders	Kartik Doshi	29,899/-	1,776,000 HKD	573
7	Aura Gem Co. Ltd.	Divyesh Gandhi	21,576/-	8,580,000 HKD	559

Apart from these entities abroad, few other shell companies were also created by Mr. Nirav modi in India, namely Bentley Properties Pvt. Ltd., Mac Business Enterprises Pvt. Ltd., Firestone Trading Pvt. Ltd., Camelot Enterprises Pvt. Ltd., Camelot Trading Pvt. Ltd., Paundra Enterprises Pvt. Ltd. etc with the purpose of acquiring properties and laundering ill gotten money.

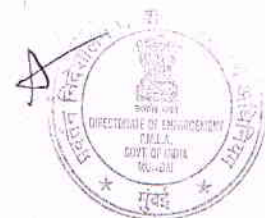
3.1.8. It is pertinent to mention here that new LOUs were issued partly to set off the earlier ones which became due. The said pattern continued till 2017, thereby increasing the LOU obligations to a huge magnitude. The LOUs issued in 2017, became due in January 2018, and the scam came to the fore since the new officials posted at the PNB Brady House branch refused to issue new LOUs without the requisite documents and sanctions, resulting in subsequent default in the repayment by the said three firms. It is significant to note that initially the LOUs were issued for smaller durations i.e. for 3 months, however, it was later changed to 360 days in order to gain maximum benefit out of these dealings. It is seen that the repayments towards previous



LOUs were made either by diverting money received from some other LoU or by creating more and more LOUs, whereby increasing the exposure. The default in repayment of LOUs happened in 2018, when the LOUs (issued for 360 days) matured and payment became due on part of these firms towards the PNB. Pertinently, just before the LOUs issued in 2017 became matured i.e. payment by the firms became due, the firms approached the PNB for issuance of new LOUs. However, the huge economic scam brewing since 2011 came to notice of the Bank only when it did not issue fresh LOUs in the absence of the requisite documents and sanctions. By this time, open/unpaid LOUs (issued by committing fraud) had mounted upto USD 1015.35 million (Rs. 6498.20 crore).

Furthermore, another USD 2.12 million as obtained by the firms from various banks in their current accounts as loans. The said amounts were utilized during the period from Feb, 2017 to May, 2017 for settling earlier credit obligations of the buyers by the Nirav Modi Group firms and also for paying overseas firms allegedly the suppliers of the said three entities/firms. The *modus operandi* of issuance of LOUs through fraud was done with the criminal intent of illegally enjoying the credit facility without providing proper collateral and with nominal interest payable and rotating the money for their own end use, by circumventing the established banking procedures and checks. It is evident that the accused persons had knowledge of the criminal activity and consequent generation of the proceeds of crime. The accused had full knowledge that they were dealing with proceeds of crime and intentionally and deliberately became a participant in the laundering of those proceeds through various avenues. The end beneficiaries of these transactions came to be Sh. Nirav Modi and his associates.

3.1.9. A Prosecution Complaint bearing No. 04/2018 dated 24.05.2018 was filed before the Hon'ble Special PMLA Court in relation to a scheduled offence registered under Prevention of Money Laundering Act, 2002 for the offence of money laundering '**Annexure E**'. The Hon'ble Judge took cognizance of the same dated 12.06.2018. The main accused, Mr. Nirav Deepak Modi is the Partner of Diamond R US, Solar Exports & Stellar Diamond, the firms which defrauded the Punjab National Bank, a public sector bank. He was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring



with the other accused to cheat the bank in the manner explained hereinabove. The proceeds of crime or property involved in money laundering so generated through the said criminal activity have been siphoned off and laundered by him through various entities to other overseas companies and countries for concealment, layering and integration into main financial system through acquisition of properties or through investment in financial assets.

3.1.10. During further investigations, statements of various persons including the directors/key persons of overseas entities were recorded under Section 50 (2) & (3) of PMLA, 2002. From the investigation conducted so far, it emerges that the overseas companies based in Hong Kong and UAE were nothing but dummy companies opened at the behest of Mr. Nirav Modi. The Directors & Shareholders of these companies were only ex-employees/ employees i.e dummy persons acting on the instructions of Mr. Nirav Modi and his trusted lieutenants. It was found that these companies had no genuine business and were only paper companies used for rotation of funds. These companies were formed only in order to facilitate layering and for laundering of funds so obtained fraudulently from PNB and to camouflage the real usage and identity of the beneficiaries of the funds siphoned off.

It has also been gathered during the investigation that in order to avoid suspicion, import/export of Jewellery, diamond etc was shown against inward/outward remittances/transfer of funds. However, it has come on record that the jewellery thus received in these firms were dismantled, diamonds & precious stones were extracted, gold so obtained was melted and converted into bullion and the same gold and diamonds were again circulated.

Statements of various dummy directors and associated persons revealed that these persons were just mechanically transferring the goods and monies as per the directions of Nirav Modi without any economic rationale and logic.

It has also been ascertained that considerable portion of amount received fraudulently from PNB, was siphoned off from these dummy entities based in Hong Kong and UAE, under direct control of Shri Nirav Modi to his Firestar Group of companies and other related entities.



3.1.11. That it is evident from preceding paras 3.1.4 and 3.1.5 that Shri Nirav Modi is the promoter, director and dominant shareholder of Firestar Group of Companies. He is supported in his business by his brothers – Neeshal Modi and Nehal Modi and his sister Ms. Purvi Deepak Modi (Mrs. Purvi Maiank Mehta), Mr. Mihir Bhansali and other relatives/close aides. M/s Firestar Diamond International Pvt. Ltd. and M/s Firestar International Pvt. Ltd. are flagship companies of Firestar Group of companies controlled and owned by Mr. Nirav Modi. On scrutiny of the bank account details of the three accused entities (Diamonds R US, Stellar Diamond and Solar Exports), it is found that huge number of debits have been made from the accounts of these three accused entities (maintained with PNB, Brady House Branch) to the accounts of Firestar International Pvt. Ltd. and Firestar Diamond International Pvt. Ltd. The initial scrutiny of the accounts of these three accused entities revealed transfer of funds to Firestar International Pvt. Ltd. and Firestar Diamond International Pvt. Ltd. as under:

Since 2011 to 2018	
Firm	PNB to Firestar
Diamond R US	₹ 18,52,22,83,721.00 (Rs.1852.23 crore)
Solar Exports	₹ 4,92,94,29,683.05 (Rs. 493 crore)
Stellar Diamond	₹ 5,34,11,29,702.19 (Rs. 534.11 crore)
Total	₹ 28,79,28,43,106.24 (Rs. 2879.28 crore)

3.2.1. During the course of investigation, Statement of **Shri Bhavik Jayesh Shah**, Director, Brilliant Diamonds Ltd., Hong Kong was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.07.2018, wherein he inter alia stated that he was made Director of Brilliant Diamonds Ltd; that he was never a decision-making authority in Brilliant Diamonds Limited. He further stated that there were total 06 companies in Hong Kong controlled by Nirav Modi and Aditya Nanavati viz. Auragem Company Limited, Eternal Diamonds Corporation Limited, Brilliant Diamonds Limited, Fancy Creations Company Limited, Sino Traders Limited, Sunshine Gems Limited. All these companies were dummy companies and all the import-export work related to these companies were done from one premises only, He further stated that Nehal Modi came to Hong Kong after the case and instructed that they have to liquidate all the dummy companies in Hong Kong and to destroy their old mobile phones. On one day in March 2018, he instructed them to pack all the stock available of all the dummy companies. Accordingly, they packed the stock (10-12 Parcels of Loose diamonds and some big diamonds/Stones) and Nehal Modi and one other person came and took away the packets.



In his further statement dated 16.10.2018, he reiterated that 2 consignments of value USD 90,61,419.65 and USD 2,59,12,611.67 imported by Hong Kong based companies from Dubai based companies, were held by G4S International, Hong Kong. He further stated that G4S International informed that they had instructions from India Counterpart namely Sequel Logistics not to deliver the shipments to the Hong Kong based companies.

3.2.2. During the course of investigation, Statement of **Shri Shardinu Vajpayee, Managing Director - Amicorp Advisory services Pvt Limited (Mumbai Branch)** was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 06.07.2018, wherein on being shown the copies of some emails, he inter alia stated that the employees of Amicorp Group had these conversations. The said conversation was started by Shri Radhesh Vijyan who is the Director of Islington Holding Pte Limited in fiduciary capacity; that the Amicorp Group charges fees for the same. The amount of USD 200K mentioned in one of the mails pertains to the fiduciary work done by the office; that Amicorp's Singapore office manages Islington Holdings Pte Limited and BVI office have also received some fees for other entities like Lili Mountain Investment and Novelar International Holding limited as confirmed by their Group legal Head Mr. Marteen. As confirmed by Mr. Marteen, Amicorp has incorporated the entity Novelar International Holding limited but it is not managed by Amicorp in fiduciary capacity. He further confirmed that the Amicorp India coordinated the investment of USD 45 Million from Amicorp Singapore to Firestar India on behalf of its Singapore office. The source of this USD 45 Million was Novelar International Holding Limited. As mentioned in the said Emails, the amount of USD 4,25,000.00 was also transferred from Purvi Modi's account to Islington Holdings Pte Ltd. There is a swift message mentioned in the Emails related to abovementioned transaction of USD 4,25,000.00 which indicates that the said loan was transferred from EFG bank account to the account of Islington Holdings Pte Limited maintained with United Overseas Bank Singapore.

3.2.3. During the course of investigation, Statement of **Shri Ravi Shanker Gupta**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 10.09.2018, wherein he inter alia stated that, as per his information following FDI were received in Firestar International Private Limited(FIPL).



Sr No	Calendar Year	Amount (Approx) Rs in Crore	Received From
1	2013	162	Jade Bridge Holdings, Cyprus
2	2014	120	Forcom Worldwide investments Limited, Mauritius
3	2017	270	Islington International Holdings Pte Limited
4	2017	440	Nirav Modi

3.2.4. Investigation established money trail from the six dummy companies namely Pacific Diamonds FZE, Universal Fine Jewelry FZE, World Diamond Distribution FZE, Diagems FZC, Hamilton Precious Traders, Vista Jewelry FZE in Dubai for an amount of USD 50 million to a British Virgin Islands (BVI) company named Lili Mountain Investments Company during the period March 2013 to March 2014. The director of Lili Mountain Investments Company is Ms. Purvi Modi, who is the sister of Sh. Nirav Modi. From there, the funds were directly paid to one Enterprise Emerging Market Funds, British Virgin Islands (a fiduciary fund which acts as per instructions of Investors). The funds were further transferred to two companies, Forecom Worldwide Investment (USD 30M) and Jade Bridge Holdings Ltd (USD 20M). The same amount was then invested in Firestar International Private Limited (FIPL), India as FDI. FIPL is owned by Mr. Nirav Modi. It may also be noted that in the subsequent years, no other transactions are reflected in these intermediary companies i.e. Jade Bridge Holdings, Forecom Worldwide Investment, Lili Mountain Investment Company emphasizing the fact that the companies were used only to layer the funds and to obfuscate the real source which is the LOUs issued by playing fraud on PNB.

3.2.5. It is also revealed that M/s Fine Classic FZE, a Dubai Based company is owned/controlled by Ms. Purvi Modi. The entity received monies from the Dubai and Hong Kong based beneficiaries of fraudulent LOUs in guise of trade outstanding. M/s Fine Classic FZE had transferred USD 65M to Firestar Holdings Ltd. For this transaction, Firestar Holdings Ltd. issued preference shares to M/s Fine Classic FZE. Later on, the said shares of Fine Classic FZE were transferred



to the name of Ms. Purvi Modi (Owner of M/s Fine Classic FZE). Firestar Holdings Ltd is a subsidiary of Firestar International Private Limited and is owned and controlled by Mr. Nirav Modi.

- 3.2.6. In 2017, Firestar Holdings Ltd, Hong Kong transferred US 65 Million to Purvi Modi in guise of redemption of the said preference shares. As per the statements of Vipin Sanith, Manager of Fine Classic FZE, Mr. Nilesh Mistry, accountant of Fine Classic FZE and Kurian Mathews, supervisory of accounts of Fine Classic, it has been clearly established that this amount was generated in this company from the trade outstanding of the Dubai based beneficiaries of Fraudulent LoUs. Thus, Purvi Modi indirectly siphoned of the money from Dubai in guise of investment in Firestar Holdings, Hong Kong.

4. **FURTHER MONEY TRAIL ANALYSIS: -**

Reference is invited to the earlier Prosecution Complaint wherein Money Trail was discussed in details. During the course of further investigation, Further Money Trail is established which is as detailed below:

4.1 **Properties Purchased in USA:**

Essex House 160, Central Park South, New York:

- 4.1.a During the investigation, in his statement recorded u/s 50 (2) and (3) of PMLA dated 24/04/18, Shri Raghuraman Iyer, Chartered Accountant, Financial and Investment Advisor to Mr. Nirav Modi informed that:

"In around 2015, Mihir Bhansali discussed about transfer of residential flat in New York from one company M/s Central Park to Ms. Ami Modi (Wife of Nirav Modi). He didn't know whether this transfer was affected or not. But during discussion, he came to know that the company named "Central Park" was owned by Nirav Modi/ Firestar Group" (Annexure F1)

- 4.1.b From the land records publicly available on the website of New York Land Department, it was found that this property (Essex House, 160 Central Park South) was purchased in 2007 in value USD 4,99,500 in the name of "M/s Central Park Real Estate LLC", a company controlled by Mr. Nirav Modi. The deal was carried out by Mr. Mihir Bhansali through Power of Attorney. (Annuxure-F2)



4.1.c Ajay Gandhi (Employee of Nirav Modi who managed USA operations of Nirav Modi) forwarded agreement to Anand Thite and Puneet Bhandari (Employees of Nirav Modi in India) vide email dated 22.12.2016 which was recovered from Email Backup of Puneet Bhandari seized during searches at the office premise of Firestar Diamond International Private Limited (Commercial-II, Kohinoor City, Kurla) on 15.02.2018. As per the agreement, which was found to be executed on date 26/03/2007 with HSBC bank, Central Park LLC took out USD 3 Million mortgage from HSBC, USA. This transaction was carried out by Mr. Mihir Bhansali a trusted associate of Mr. Nirav Modi. The relevant copy of the said agreement is enclosed in Relied upon documents as **(Annexure-F3)**.

4.1.d Nirav Modi's USA company M/s Firestar Diamond Inc applied for bankruptcy in United States Bankruptcy Southern District of New York. The Court appointed an examiner Mr. John C Carney, among other things to, determine the extent, if any, of the Modi conspirators' influence on the Debtors as well as whether any current officer or director had actively and knowingly participated in fraud or dishonesty involving the affairs of the Debtors. The report of Mr. John Carney was submitted by Shri Avneesh Nepaliya vide his statement recorded on 03.10.2018 u/s 50 (2) & (3) of PMLA and the said statement alongwith the enclosure is enclosed in Relied upon documents.

As per the report submitted by John J Carney on 25.08.2018, the remaining \$2 million was financed by Shadow Entity 'Brilliant Diamonds' and 'Firestar Diamonds Inc' (both recipients of illicit LoUs to the extent of USD 63 Million and USD 3 Million respectively). The details of the subject payments given by the Mr. John J Carney is as under: -

Summary HSBC Mortgage Payments Made by FDI for the Essex House Apartment			
Year	# of Payments Made	Amount	
2011	10	\$	121,843
2012	11		118,406
2013	11		116,844
2014	12		127,466
2015	12		127,466
2016	11		116,844
2017	12		127,466
Total	79	\$	856,335



4.a.e As per the said report, later on the entity "Central Park Real Estate LLC" holding the ownership of Essex House has been transferred to "The Ithaca Trust" whose beneficial owner is Ami Nirav Modi (Wife of Nirav Modi) and the settler of this trust is Ms. Purvi Nirav Modi. As per the examiner's report, the mortgage of HSBC of around USD 3 Million was settled by Firestar Diamond Inc, a group company of Firestar Group.

4.1.f Investigations revealed that, Proceeds of Crime were also transferred to the USA based Group companies of Firestar Group. Firestar Diamond Inc (from which, the HSBC mortgage was settled) directly received proceeds of Crime to the tune of USD 3,050,014.35 from Bank of India, Hong Kong against the Fraudulent LoUs as per details below:

Txn. Part.	Debit	Value Date	Counter Party
3731FIBC/FIDL/11	1246765.6	04.10.2011	FIRESTAR DIAMOND INC USA
3731FIBC/FIDL/11	1803248.75	04.10.2011	FIRESTAR DIAMOND INC USA

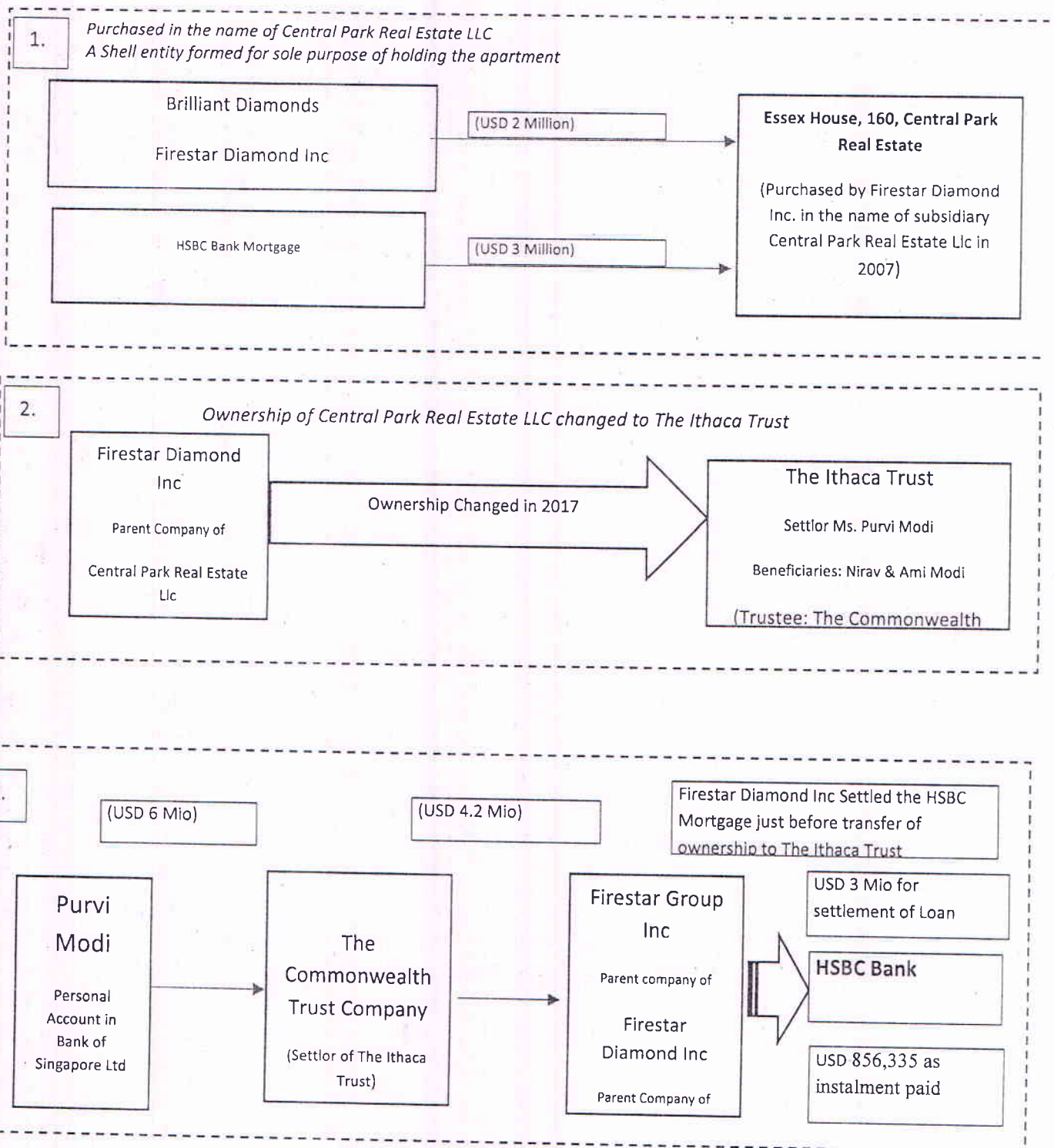
In addition to this, as explained in Money trail in Prosecution Complaint 04/2018, at least 126 Million USD were diverted to these USA based companies including Firestar Diamond Inc from Hong Kong based dummy companies of Nirav Modi (which were the direct beneficiaries of the fraudulent LOUs fund).

Funds diverted to USA based companies controlled by Nirav Modi			
Hong Kong Dummy Company	Funds from USA	Funds to USA	Net Funds to USA
AURAGEM COMPANY LIMITED	₹ 7,502,207.55	₹ 44,020,811.40	₹ 36,518,603.85
Brilliant Diamonds	₹ 11,499,570.13	₹ 12,037,240.97	₹ 537,670.84
Eternal Diamonds	₹ 2,134,746.50	₹ 9,238,233.88	₹ 7,103,487.38
FANCY CREATIONS COMPANY	₹ 21,605,854.27	₹ 57,052,799.72	₹ 35,446,945.45
Sino Traders		₹ 45,649,046.36	₹ 45,649,046.36
SUNSHINE GEMS		₹ 965,019.35	₹ 965,019.35
Grand Total	₹ 42,742,378.45	₹ 168,963,151.68	₹ 126,220,773.23

4.1.g From the above discussion, it is clear that the ultimate source of the funds to purchase the above property namely Essex House 160, Central Park South, New York is the tainted funds generated from fraudulently issued LoUs from Punjab National Bank. The funds were layered in a very complex manner to camouflage the ultimate source of money. The property was purchased in the name of a trust and payment for HSBC Mortgage was



done from the USA based subsidiaries of Firestar Group which were recipient of proceeds of crime after complex layering.



4.2 Purchase of 50, Central Park South & Diversion to Ami Nirav Modi:

4.2.a Ms. Purvi is the owner/director of a company namely M/s Fine Classic FZE in which at least USD 89 Million were transferred from the UAE and Hong Kong based dummy companies of Mr. Nirav Modi which are recipients of illegal funds from the PNB.



4.2.b As per the statements recorded U/S 50 (2) & (3) of PMLA of Mr. Vipin Sanith (09.08.2018), Manager of Fine Classic FZE, Mr. Nilesh Mistry (20.06.2018), accountant of Fine Classic FZE and Mr. Kurian Mathews (12.04.2018), supervisor of accounts of Fine Classic, it was revealed that funds in Fine Classic FZE were generated in the garb of trade outstanding to the other Dubai and Hong Kong based companies of Nirav Modi and huge outstanding of creditors has been created in the books of Fine Classic FZE and these Creditors are other Dubai and Hong Kong based dummy companies of Nirav Modi. Similarly, Mr. Shyam Sunder Wadhwa, Vice President of Firestar Group in his statement dated 17.08.2018 u/s 50 (2) and (3) of PMLA, who was instrumental in incorporating Fine Classic FZE stated that the funds in Fine Classic FZE were generated because of trade outstanding of Dubai and Hong Kong based dummy companies of Nirav Modi and deliberately high profit margin of Fine Classic FZE was projected.

4.2.c Funds to the tune of USD 26 million were received during the period March 2017 to May 2017 in the personal Account 1030200012010101 USD of Purvi Modi maintained in Amicorp Trust & Bank Limited, Barbados. The breakup of the said credit of funds are as under:-

Sr No	Particulars	Credit	Debit
1	Fine Classic FZE, beneficially owned by Purvi Modi	USD 18 Million	
2	Purvi Modi personal account 101000007497 in BANYANTREE BANK LIMITED CYBER CITY	USD 4 Million	
3	Purvi Modi personal account in 309634-11745352 DINOSAUR MERCHANT BANK LIMITED UK	USD 4.4 Million	
4	Ami Nirav Modi HSBC Account No 134-87374-2		USD 26.3 Million

As mentioned above the said amount was transferred to the account of Ami Nirav Modi (Wife of Nirav Modi) to her HSBC Account no 134-87374-2 maintained in United States of America. The account statement of the account was provided by Mr. Maarten Van Den Noort of Amicorp Group vide email dated 11/07/2018 (**Annexure-F4**).



- 4.2.d From the HSBC account 134-87374-2 of Ms. Ami Nirav Modi, funds to the tune of USD 25 Million were transferred to A/C no 683351 of Ms. Purvi Deepak Modi maintained in Bank of Singapore on 01/09/17. The SWIFT message for this transaction was forwarded by Ajay Gandhi to Nirav Modi on 19.08.2017 which was recovered from Email Backup of Nirav Modi, seized during searches at the office premise of Firestar Diamond International Private Limited (Commercial-II, Kohinoor City, Kurla) on 15.02.2018. The text of the said message is as under:-

"*BBK: BANK OF SINGAPORE LIMITED (FORMERLY SINGAPORE*BNF:MODI, PURVI DEEPAK,HONG KONG, HK*OBI:REF: PARTIAL REPAYMENT OF THE LOAN FOR PURVI MODI*MECHIPSEQ:0377399*TIME:1544*YR REF:DPBBUF1241*MMB REF:244485415"

Further from an email account statement of HSBC account of Ms. Ami Nirav Modi (July-17) recovered from the same email, it was found that a sum of USD 2.5 Million was transferred to a legal firm "Katz and Matz PC New York" on 07/07/17. (The email and its enclosures are enclosed as **Annexure-F5**)

- 4.2.e From an Email forwarded to Nirav Modi to Ajay Gandhi dated 07-09-2017, a document named "LLC - Assignment to Trust Direction to be signed by DMS" was recovered. From the said document, it is revealed that instructions were given to Commonwealth Trust Company by the advisor of The Ithaca Trust to transfer USD 23 Million in relation to the subject property. (**Annexure F6**)

On same date, a Draft assignment agreement document titled "Central Park South 50 Properties LLC - Assignment Agreement" was forwarded by Mr. Nirav Modi to Mr. Ajay Gandhi through Email. As per the document, 100% membership interest in Central Park 50 Properties LLC (Company created to own property indirectly) was assigned to The Ithaca Trust. The said email and document were recovered from the email backup of Nirav Modi seized during the search operation at Firestar Diamond Office at Kohinoor City, Kurla on 15.02.2018 by the Directorate of Enforcement. (**Annexure F7**)

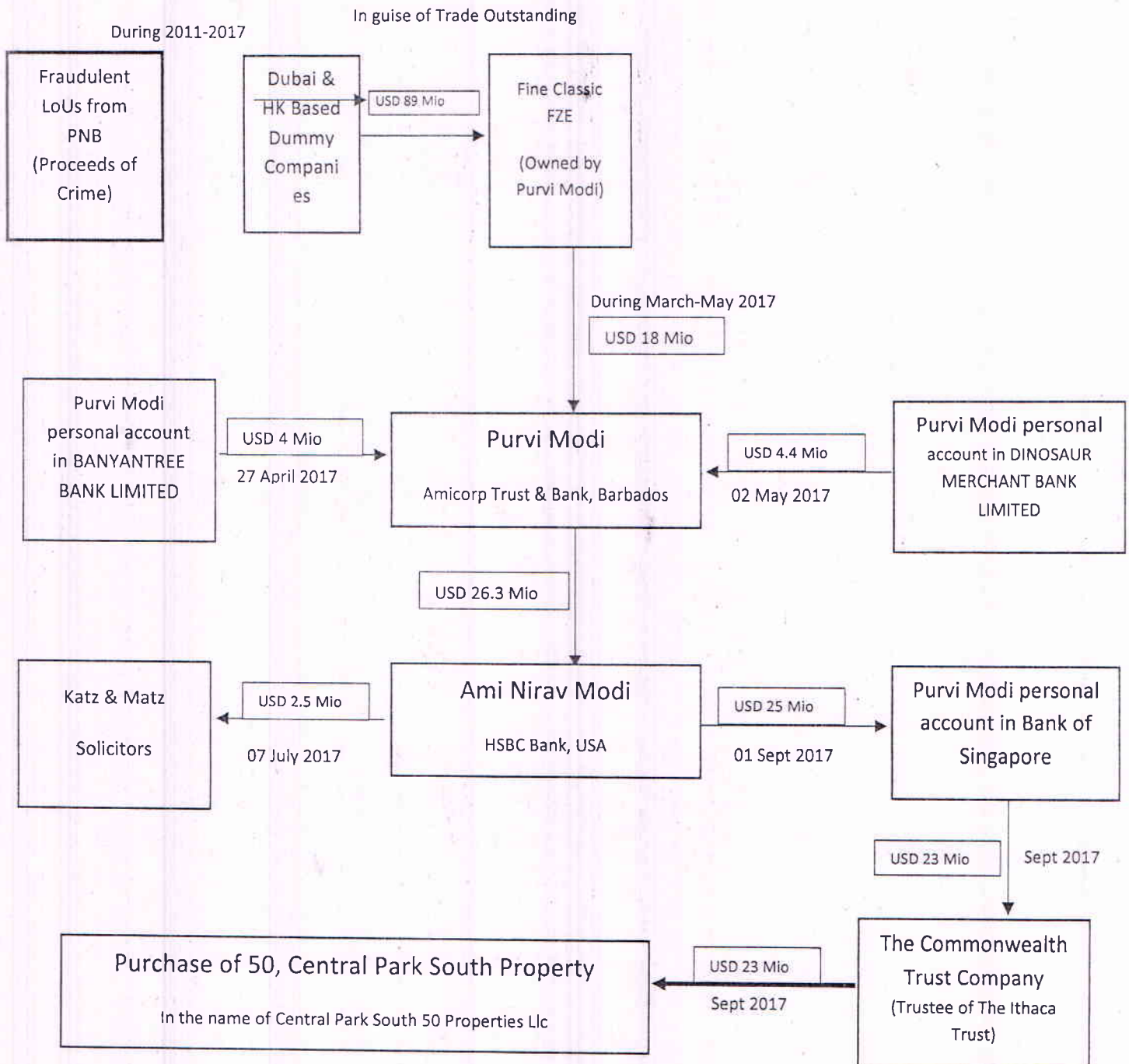
- 4.2.f The John J Carney's report on Bankruptcy proceedings of companies owned by Firestar Group in USA confirmed that

"On September 7, 2017, The Ithaca Trust bought an apartment located in the Ritz Carlton residences at 50 Central Park South, Unit 33 in New York, NY (the "Ritz Carlton Apartment").⁵⁰⁹ The apartment was purchased for \$25 million in cash by Central Park South 50 Properties LLC, an entity owned by The Ithaca Trust.⁵¹⁰ Purvi Modi,



Modi's sister signed the contract of sale.⁵¹¹ In email correspondence, Modi discusses a transfer of \$2.5 million from HSBC to the Law Offices of Katz and Matz, PC, the law firm handling the sale of the property.⁵¹² Ami Modi's HSBC bank account statement for the account ending in 3742 shows a \$2.5 million wire to Katz and Matz on July 7, 2017.⁵¹³ The source of the funds in Ami Modi's HSBC account (3742) was transfers from Purvi Modi.⁵¹⁴ Purvi Modi paid the remaining \$23 million of the purchase price through a transfer of funds from her account at Singapore Limited to the fiduciary account at the Commonwealth Trust Company.⁵¹⁵

The Fund flow of the said purchase is given below:



4.3 Diversion to Purvi Modi:

4.3.a Mr. Sandeep Mistry (Supervisor of Dummy companies of Nirav Modi in Dubai) vide email dated 11.09.2018, submitted the account statement of Fine classic FZE Account Number 3527310213004 IBAN AE130340003707310213004 (USD) maintained in Emirates Islamic Bank. It was ascertained that M/s Fine Classic FZE had transferred Huge sum of Money to M/s Purvi Modi as detailed below:

Date	Particulars	Withdrawals
19-12-2016	OUTWARD REMITTANCE REF NUM: O00000075075 PURVI DEEPAK MODI ESWFT/O/NCP/O00000075075	1,500,500.00
20-12-16	OUTWARD REMITTANCE REF NUM : O0000078889 PURVI DEEPAK MODI ESWFT/O/NCP/O000O0078889	1,800,000.00
22-12-2016	OUTWARD REMITTANCE REF NUM : O00000085044 PURVI DEEPAK MODI ESWFT/O/NCP/O00000085044	2,000,000.00
22-12-2016	OUTWARD REMITTANCE REF NUM : O00000085062 PURVI DEEPAK MODI ESWFT/O/NCP/O00000085062	2,000,000.00
24-12-2016	OUTWARD REMITTANCE REF NUM : O00000090618 PURVI DEEPAK MODI ESWFT/O/NCP/O00000090618	1,600,000.00
24-12-2016	OUTWARD REMITTANCE REF NUM : O00000090619 PURVI DEEPAK MODI ESWFT/O/NCP/O00000090619	1,700,000.00
26-12-2016	OUTWARD REMITTANCE REF NUM : O00000097260 PURVI DEEPAK MODI ESWFT/O/NCP/O00000097260	2,000,000.00
03-01-2017	OUTWARD REMITTANCE REF NUM : O00000126090 PURVI DEEPAK MODI ESWFT/O/NCP/ O00000144781	2,000,000.00
10-01-2017	OUTWARD REMITTANCE REF NUM : O00000126090 PURVI DEEPAK MODI ESWFT/O/NCP/ O00000144781	2,500,000.00
	Total	17,100,500

4.3.b Similarly, from Current Account (USD) (3707310213002) IBAN AE130340003707310213002 of Fine Classic FZE in the same Emirates Islamic Bank, the following remittances were identified:

Date	Particulars	Withdrawals
14-12-2016	SB-TELEGRAPHIC TRF	1,500,000.00



	SB REF 9214892, REM BEING OWNER ACCOUNT TRANSFER FAVG. PURVI DEEPAK MODI	
15-12-2016	SB-TELEGRAPHIC TRF SB REF 9214695, REM BEING OWNER ACCOUNT TRANSFER FAVG. PURVI DEEPAK MODI	1,200,000.00
18-12-2016	SB-TELEGRAPHIC TRF SB REF 9216257, REM BEING OWNER ACCOUNT TRANSFER FAVG. PURVI DEEPAK MODI	2,200,000.00
21-12-2016	SB-TELEGRAPHIC TRF SB REF 9220699, REM BEING PAID TO OWNER ACCOUNT FAVG. PURVI DEEPAK MODI	1,500,000.00
12-01-2017	SB-TELEGRAPHIC TRF SB REF 9236596, REM BEING OWNER ACCOUNT TRANSFER FAVG. PURVI DEEPAK MODI	2,200,000.00
	Total	8,600,000

4.3.c Funds to the tune of at least USD 18 million were also transferred from M/s Fine Classic FZE, a Dubai based Company of Purvi Modi to the Personal Account of Purvi Modi. The account statement of the account was provided by Mr. Maarten Van Den Noort of Amicorp Group vide email dated 11/07/2018 (already enclosed as Annexure F4). The transaction wise details which reflects the inward funds from M/s Fine Classic FZE in the bank account of Purvi Modi maintained in Amicorp Bank and Trust (1030200012010101) are provided below:

TXN Date	Credit	Transaction Description
7-Mar-17	200,000.00	INWARD CUSTOMER TRANSFER-FINE CLASSIC FZE - PURVI DEEPAK MODI - H01703076108602 - INDRBNR201703070009
27-Apr-17	2,050,000.00	INWARD CUSTOMER TRANSFER-FINE CLASSIC FZE - PURVI DEEPAK MODI - FT00182093336251 - INDRBNR201704270007
27-Apr-17	1,899,968.00	INWARD CUSTOMER TRANSFER-FINE CLASSIC FZE - PURVI DEEPAK MODI - FT00182093448251 - INDRBNR201704270005
27-Apr-17	2,000,000.00	INWARD CUSTOMER TRANSFER-/FINE CLASSIC FZE - PURVI DEEPAK MODI - FT00182093371251 - INDRBNR201704270011
27-Apr-17	2,200,000.00	INWARD CUSTOMER TRANSFER-FINE CLASSIC FZE - PURVI DEEPAK MODI - FT00182006334251 - INDRBNR201704270009
27-Apr-17	1,500,000.00	INWARD CUSTOMER TRANSFER-FINE CLASSIC FZE - PURVI DEEPAK MODI - FT00182006344251 - INDRBNR201704270006
27-Apr-17	2,149,968.00	INWARD CUSTOMER TRANSFER-/FINE CLASSIC FZE - PURVI DEEPAK MODI - FT00182006394251 - INDRBNR201704270010
27-Apr-17	2,300,000.00	INWARD CUSTOMER TRANSFER-FINE CLASSIC FZE - PURVI DEEPAK MODI - FT00182093310251 - INDRBNR201704270008
27-Apr-17	2,000,000.00	INWARD CUSTOMER TRANSFER-FINE CLASSIC FZE - PURVI DEEPAK MODI - FT00182182907251 - INDRBNR201704270004
27-Apr-17	1,800,000.00	INWARD CUSTOMER TRANSFER-FINE CLASSIC FZE - PURVI DEEPAK MODI - FT00182006434251 - INDRBNR201704270003
	18,099,936	Total



It is pertinent to mention here that the said USD 18 Million was transferred to Ms. Ami Modi to purchase 50, Central Park South.

4.3.d Further, from the account statement of Fine Classic FZE maintained in Emirates NBD (Account No. 051-XXX85XXX-02) USD submitted by Mr. Sandeep Mistry vide email dated 14/09/2018, the following payments were made to Ms. Purvi Modi:

Date	Description	Debits
09JUL17	SB-TELEGRAPHIC TRF SB REF. 10902243, REM FAVG. PURVI DEEPAK MODI BEING OWNER OWN ACCOUNT TRANS	1,200,000.00
10JUL17	SB-TELEGRAPHIC TRF SB REF. 109013773, REM FAVG. PURVI DEEPAK MODI BEING OWNER OWN ACCOUNT TRANS	1,500,000.00
26SEPT17	SB-TELEGRAPHIC TRF SB REF. 11539679, REM FAVG. PURVI DEEPAK MODI BEING OWNER OWN ACCOUNT TRANS	3,000,000.00
27SEPT17	SB-TELEGRAPHIC TRF SB REF. 11558373, REM FAVG. PURVI DEEPAK MODI BEING OWNER OWN ACCOUNT TRANS	900,000.00
28SEPT17	SB-TELEGRAPHIC TRF SB REF. 11573500, REM FAVG. PURVI DEEPAK MODI BEING OWNER OWN ACCOUNT TRANS	2,000,000.00
03OCT17	SB-TELEGRAPHIC TRF SB REF. 11611650, REM FAVG. PURVI DEEPAK MODI BEING OWNER OWN ACCOUNT TRANS	2,200,000.00
08OCT17	SB-TELEGRAPHIC TRF SB REF. 11653740, REM FAVG. PURVI DEEPAK MODI BEING OWNER OWN ACCOUNT TRANS	1,000,000.00
	Total	11,800,000

4.3.e From the account statements of M/s Fine Classic FZE (664002 USD current account maintained in RAKBANK), forwarded by Sandeep Mistry vide email dated 11.09.2018 the following payments were made to Ms. Purvi Modi:

Date	Details	Withdrawals
02OCT17	OUTWARD T/T PURVI DEEPAK MODI 1.00	3,000,000.00
04OCT2017	OUTWARD T/T PURVI DEEPAK MODI 1.00	1,500,000.00
	Total	4,500,000.00

Thus, the Directorate was able to identify diversion of More than USD 60 Million to Ms, Purvi Modi from M/s Fine Classic FZE.

(All the abovesaid account statements are enclosed as **Annexure-F8**)



4.4 Diversion to Maiank Mehta:

4.4.a Mr. Maiank Mehta (Husband of Ms. Purvi Modi) has knowingly indulged himself in assisting the activity of Money Laundering. He is also the beneficiary of the tainted funds generated from the scam and investigation revealed that at least USD 30 Million were transferred to him from Pacific Diamonds FZE, a company direct beneficiary of Proceeds of Crime to the tune of USD 424.80 Million as explained in earlier Prosecution complaint 04/2018. The fact of transferring the funds from Pacific Diamond FZE to Maiank Mehta has been revealed by Jinesh Shah, the owner of Pacific Diamond FZE, Kurian Mathews the supervisory of accounts of Pacific Diamond FZE and Mr. Satyendra Shukla, ex Owner of Pacific Diamonds FZE. This amount was transferred from Bank account No. 729654194001-USD of Pacific Diamonds FZE maintained in Abu Dhabi Commercial Bank (ADCB) to the personal account of Maiank Mehta maintained in Barclays Bank. The transaction-wise details of the said diversion are detailed below:

Date	Customer Ref No	Description	Debit Amount
13-Nov-2013	MAIANKMBARCLAYSLR	50000000009507799 – USD 3310000	3,310,000.00
13-Nov-2013	MAIANKMBARCSG	50000000009507813 – USD 3415000	3,415,000.00
13-Nov-2013	MAIANKMEHTALOANRE P	50000000009507814 – USD 3275000	3,275,000.00
14-Nov-2013	MAIANKMBARCLAYSLR	50000000009521051 – USD 3568000	3,568,000.00
14-Nov-2013	MAIANKMBARCLAYS	50000000009522269 – USD 3179000	3,179,000.00
14-Nov-2013	MAIANKMBARCLAYSLR	50000000009521223 – USD 3253000	3,253,000.00
26-Nov-2013	MAIANKMBARCLAYSL	50000000009649617 – USD 2610900	2,610,900.00
26-Nov-2013	MAIANKMBARCLAYR	50000000009650485 – USD 2549800	2,549,800.00
26-Nov-2013	MAIANKMBARCLAYSLR	50000000009657511 – USD 2483100	2,483,100.00
26-Nov-2013	MAIANKMBARCLAYSLR	50000000009657879 – USD 2356200	2,356,200.00
			30,000,000

(The account statement of the abovesaid transaction was provided by Sandeep Mistry vide email dated 14.09.2018 as enclosed in **Annexure-F8**)

4.4.b The statement of Mr. Shyamsunder Wadhwa dated 17.08.18 confirmed role of Maiank Mehta in transferring the funds to the entities controlled by him. A



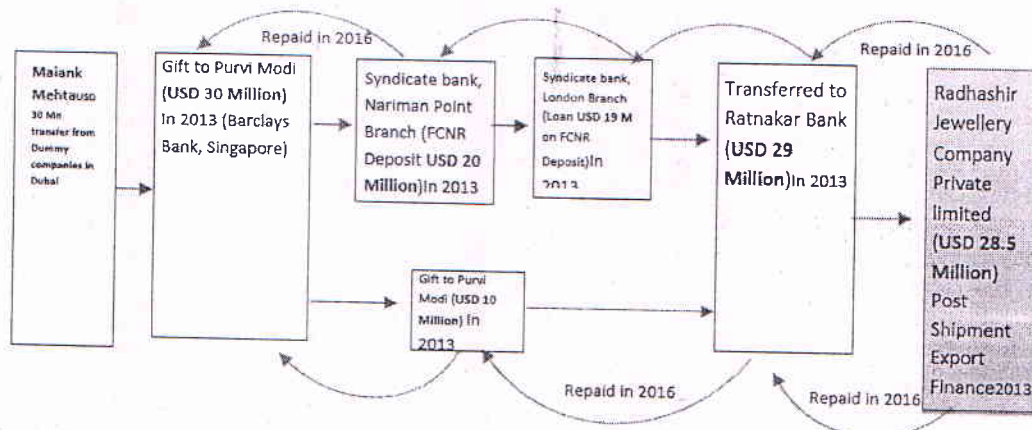
snap shot of Email dated 13.12.17 from Shyamsunder Wadhwa to Maiank Mehta asking directions regarding fund transfer from Fine Classic to other overseas company controlled by him (Maiank Mehta) is enclosed herewith.

Emails (2)

#	Parties	Content	Other	Deleted
1	Timestamp: 13-12-2017 12:43:46(UTC+0) From: shyamsunder_wadhwa@yahoo. co.in shyamsunder wadhwa To: maiankm@gmail.com maiank Mehta Direction: Outgoing	Subject: Re: Remittance of funds Body: Dear Mr.Mehta, This is Shyam Wadhwa from Niravbhai's office. Last payout of \$ 84K was wired for the financial year 2016-17 in March'17 from Fine Classic FZE . Please confirm bank details for arranging payout for the current financial year 2017-18. This payout would be company other than Fine Classic FZE , I would appreciate your confirmation of bank details. Best regards, S.V.Wadhwa From: maiank Mehta <maiankm@gmail.com> To: shyamsunder wadhwa <shyamsunder_wadhwa@yahoo.co.in> Sent: Tuesday, 22 March 2016 2: Body file: mes-1.eml	Status: Unknown Account: shyamsunder_wadhwa@ya hoo.com Snippet: MDS: Seb33d6ecd0a04117fae7ac 186f749d5	
2	Timestamp: 14-12-2017 12:38:16(UTC+0) From: shyamsunder_wadhwa@yahoo. co.in shyamsunder wadhwa To: maiankm@gmail.com maiank Mehta Direction: Outgoing	Subject: Re: Remittance of funds Body: Dear Mr.Mehta, Person handling bank account of Fine has expressed his regret for wiring funds from Fine to account having name other than name of shareholder as Dividend/income distribution. Please advice your Ok to wire funds from some other Dubai company to Pachira Holdings Ltd account with Bank Julius Baer & Co Ltd in Singapore. Best regards, S.V.Wadhwa From: maiank Mehta <maiankm@gmail.com> To: shyamsunder wadhwa <shyamsunder_wadhwa@yahoo.co.in> Sent: Thursday, 14 December 2017 8:41 AM Subject: Re: Rem Body file: mes-2.eml	Status: Unknown Account: shyamsunder_wadhwa@ya hoo.com Snippet: MDS: bd14e91fb5f54323b658f5c8 5badd408	

This Email was confirmed by Mr. Shyam Sunder Wadhwa in his statement dated 17.08.18 records U/S 50 (2) & (3) of PMLA,2002.

- 4.4.c Maiank in turn gave this amount as gift to his wife Purvi (Modi) Mehta (Sister of Nirav Modi). She used this amount to create a FCNR Deposit in Syndicate Bank, Nariman Point Branch. Then she took a loan from Syndicate Bank, London Branch by putting the said FCNR deposit as a security. The proceeds of the loan from Syndicate Bank, London Branch were transferred to Ratnakar Bank and 4 Deposits were created. On the said 4 deposits, a loan was taken by Radashir Jewellery Pvt Ltd. (Nirav Modi Company) in terms of Packing Credit and the funds were utilized by Radashir Jewellery indirectly for about 2 years. In 2015-16, the loan was closed and the funds were remitted to Purvi Modi's account in Syndicate Bank, London & Barclays Bank, Singapore.



The above facts were explained in Prosecution Complaint 04/2018 in detail and the same facts have been corroborated by Mr. Shyam Wadhwa in his statement dated 17.08.2018.

As seen above, USD 30 Million diverted from fraudulent LoUs were diverted and used for 3 years by one of the Companies of Nirav Modi.

4.4.d It is crucial to mention here that Jinesh Shah (Namesake Owner of Pacific Diamonds FZE) vide his statement dated 09.06.2018 recorded u/s 50 (2) & (3) of PMLA stated that

"I state that once in 2013-14, I received a query from the Abu Dhabi commercial Bank (ADCB) bank regarding the transfer of USD 10 Million in the accounts of Maiank Mehta's Personal Accounts from the accounts of Pacific Diamonds. I asked Kurian Mathews about the transaction' He told me that we (Kurian Mathews, Sandeep Mistry) will sort it out. He did not give me any details but he prepared one agreement of loan from Pacific Diamonds to Maiank Mehta and I signed it. In this regard, I also met the relationship Manager of the ADCB and submitted the loan agreement to him' There might be more payment to Shri Mainak Mehta but the details were not shared with me.

I also remember huge payments to Nirav Modi and Purvi Modi and Deepak Modi but I don't know the particulars of the same as I was never involved in the banking transactions.

I also wish to add that these transactions mostly happened from accounts pacific diamonds and the documents, if required for any bank Query, were prepared after the actual transactions as per the requirements' I have never seen or signed the audit reports of the company Pacific Diamonds FZE' I feel that audit reports of Pacific diamonds were never prepared to shadow these types of transactions."

Thus, it clearly establishes that the transfer of USD 30 Million was nothing but diversion of Proceeds of Crime.

Further, the same amount was further siphoned off, routed through Banyan Tree Bank, Mauritius and invested in Firestar International Private Limited



through Islington International Holdings Pte Ltd by way of FDI for the beneficial interest of Nirav Modi.

4.5 Money Laundered through Islington International Holdings (Pte) Ltd in guise of FDI into Firestar International Private Limited.

4.5.a As detailed in the previous para 4.4.d, the amount of USD 30 Million was re-credited in the bank account of Purvi Modi. The above fact was corroborated by an email dated 19.12.2016 from Subhash Parab to Kavita Mankikar forwarding therewith a Draft "Syndicate Bank Remittance Letter" wherein Purvi had instructed Syndicate Bank to transfer USD 23Million from Syndicate Bank London Account to Banyan Tree Bank, Mauritius. **(Annexure F9)**

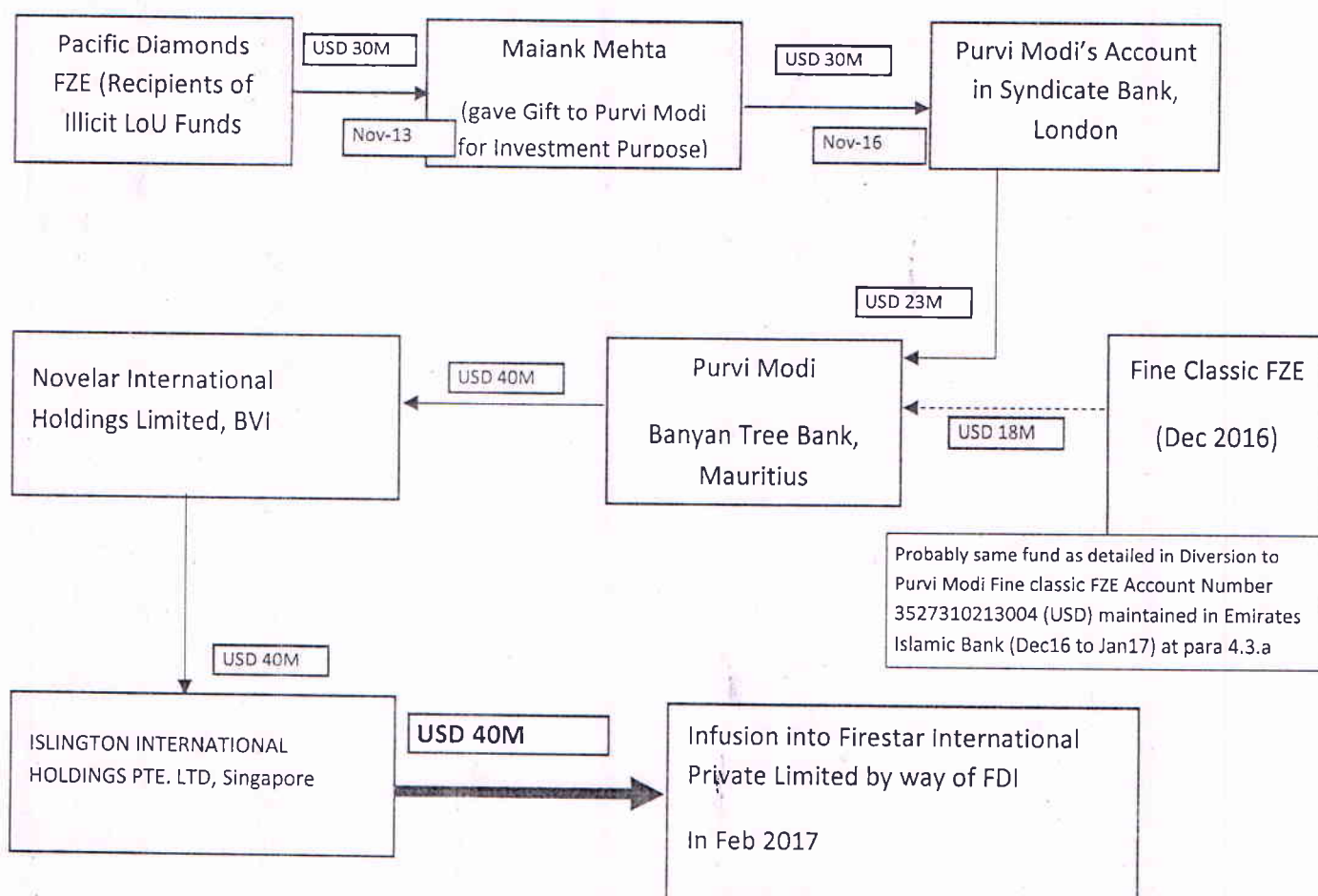
The same facts were corroborated by Mr. Shyam Sunder Wadhwa during his statement dated 17.08.2018 by saying that the funds were moved from London to Mauritius for Investment Purpose.

4.5.b Most of the amounts in the bank accounts of Islington International Holdings Limited have been credited from Novelar International Holding limited, the parent company of the former. USD 4,25,000 was credited to Islington International Holdings Limited as loan from the Purvi's personal account maintained in EFG bank. The facts have been stated in Statement of Shardindu Vajpayee dated 06.07.18 recorded u/s 50 of PMLA)

4.5.c The account of Novelar International Holding limited was credited to the tune of at least 23 Million USD from the account of Purvi Modi maintained in Banyan Tree Bank, Mauritius. This Mauritius account was credited from Purvi Modi's personnel account in Syndicate bank UK. Source of this amount was the Gift from Maiank Mehta who got this amount as loan from the Dubai based beneficiaries of LOUs. (Statement of Kurian Mathews dated 13.04.18, Statement of Nilesh Mistry dated 30.06.18, Statement of Saju Poulose dated 18.04.18, Email correspondence with Syndicate Bank).



Investment through Novelar International Holdings



4.5.d As per the details above, the funds to the tune of USD 40 Million were invested in Firestar International Private Limited in guise of Foreign Direct Investment from M/s Islington International Holdings Pte Ltd, Singapore by routing through Purvi Modi's account in Syndicate Bank London, Purvi Modi's account in Banyantree Bank, Mauritius and through Novelar International Holdings Limited, BVI Masking the trail of illicit funds.

4.6 Diversion to Bailey Banks and Biddle, Link High International & Twin Field Investment:

4.6.a During investigation, it has been found that Nirav Modi is one of the Director and Beneficiary of the company M/s Diamond Holdings SA, C/o Francois Chapatte S.A., Rue de la Jeunesse 2, 2800 Delmont, Switzerland. The said company owns the trademark of "Bailey Bank & Biddle". Bailey Bank & Biddle is a retail jewelry chain in United States of America in which substantial amount of Proceeds of Crime has been transferred. During the investigation, it has been revealed that around USD 50-55 Million were diverted to this jewelry retail chain from the Dubai based dummy companies of Nirav Modi from the ill-gotten funds (Statement of Saju Paoulouse 18.04.2018). In



addition, USD 5.3 Million were diverted to "Bailey Bank & Biddle" from Auragem Company Limited a Hong Kong based dummy company of Mr. Nirav Modi as explained in Prosecution complaint 04/2018 dated 24.05.2018.

Hong Kong Company	Account	Date	Counter Party	Vch Type	Debit
AURAGEM COMPANY LIMITED	DBS-Current-USD	25/07/2017	BBB Group Inc-Purchase	Payment	\$ 12,60,764.06
AURAGEM COMPANY LIMITED	DBS-Current-USD	16/10/2017	BBB Group Inc-Purchase	Payment	\$ 15,01,514.06
AURAGEM COMPANY LIMITED	DBS-Current-USD	26/01/2018	BBB Group Inc-Purchase	Payment	\$ 12,50,764.04
AURAGEM COMPANY LIMITED	DBS-Current-USD	21/02/2018	BBB Group Inc-Purchase	Payment	\$ 13,00,014.04
	Total				\$ 53,13,056.20

- 4.6.b Also, John J Carney, Examiner was appointed by USA Bankruptcy court of Southern District of New York in Bankruptcy petition filed by Firestar Diamonds Inc & Ors, Nirav Modi's USA Companies. The said examiner's report stated that

"Twin Fields was primarily funded by A. Jaffe, Fine Classic, a Shadow Entity controlled by Purvi Modi (Nirav Modi's sister) that is discussed above, and a British Virgin Islands entity, Link High International ("Link High"). At least \$42 million of the approximately \$80 million of funds that flowed out from Twin Fields went to BBB Group."

- 4.6.c Further, the examiner also submitted the transactions in the account of Twin field investments and total flow to BBB Group:

Companies that Funded Twin Fields

Entity	Total
Fine Classic FZE	\$ 26,864,056
Link High International	23,602,660
A. Jaffe Inc.	21,330,000
No Detail	4,253,623
Synergies Corporation	4,000,000
Firestar Diamond, Inc.	31,542
Total	\$ 80,081,881

Recipients of Twin Fields Funds

Entity	Total
BBB Group, Inc.	\$ 42,748,000
A. Jaffe Inc.	21,467,521
Check Records Not Available	12,502,606
TRS Diaco, Inc.	2,910,000
Other Disbursements	385,332
Lend-A-Hand India	74,600
Total	\$ 80,088,059

All these companies Fine Classic FZE, Link High International, A. Jaffe, Synergies Corporation, Firestar Diamond Inc, BBB Group, TRS Diago Inc are owned by Nirav Modi/Purvi Modi and their father Deepak Modi.



- 4.6.d Some of the abovesaid transactions were identified in the account statements of M/s Fine Classic FZE (051-XXX85XXX-02) USD submitted by Mr. Sandeep Mistry vide email dated 14/09/2018 (**Annexure F8**):

Date	Description	Debits
18SEPT17	SB-TELEGRAPHIC TRF SB REF. 11474369, REM FAVG. TWIN FIELD INVESTMENTS LTD BEING AMOUNT PAID AS A LOAN	500,000.00
20OCT17	SB-TELEGRAPHIC TRF SB REF. 11761754, PAYMENT FAVG. TWIN FIELD INVESTMENTS LTD AS A LOAN	1,500,000.00
07NOV17	SB-TELEGRAPHIC TRF SB REF. 11919327, REM FAVG. TWIN FIELD INVESTMENTS LTD BEING AMOUNT PAID AS A LOAN	1,500,000.00
	Total	3,500,000.00

- 4.6.e It will not be out of place to mention that the entity A. Jaffe is the Direct recipient of LoU funds as detailed below:

Issuance of LOUs to USA:						
LOU-Date	APPLICANT	LOU Amt (USD)	LENDER BANK	Beneficiary of stolen funds	Beneficiary bank	Beneficiary Account no.
12-10- 2011	DIAMOND R US	19,21,078.65	PNB, HK	AL JAFFE INC NY	HSBC NY	054-00-2460

- 4.6.f In addition to these, net amount of USD 4.70 Million has been paid to this company from Hong Kong dummy companies of Nirav Modi which received Fraudulent LOU payments. Also, Rs. 11.68 Crore (USD 1.95 Million) were transferred to this company from Indian Bank accounts of the three main accused firms of Nirav Modi i.e. Solar Export, Stellar Diamonds and Diamond R US as detailed in previous prosecution complaint 04/2018 dated 24.05.2018.

4.7 Diversion from Pacific Diamonds FZE to Chang Jiang S.A., Deepak Modi and Nirav Modi:

- 4.7.a During his statement dated 14.09.2018, Mr. Rushabh Jethwa (Accounts Manager of Dubai based companies of Nirav Modi) submitted trial balance and Balance sheets of Pacific Diamonds FZE (Dubai based company of Nirav Modi and direct beneficiary of illicit LoU funds). He also submitted that Deepak Modi received more than USD 150 Million from Pacific Diamonds FZE. Also, a company named Chang Jiang S.A. had received USD 21 Million from Pacific Diamonds FZE as detailed in previous paras. Chang Jiang S.A.



is a company owned by Mr. Deepak Modi (as per his submission before Hon'ble Bombay High court in Income Tax Appeal No 117 and 19 of 2014). The above facts of money diverted to Deepak Modi and Chang Jiang S.A. are also corroborated by Trial Balance of Pacific Diamonds FZE as the amount is shown outstanding against Deepak Modi and Chang Jiang S.A.

- 4.7.b From the same trial Balance, it was identified that following amounts were outstanding in the books of Pacific Diamonds FZE:

Entity Name	Outstanding Amount (USD)	Remarks
Charing Cross Ltd	300,000.00	The companies are owned by Mr. Mehul Choksi in the name of his wife Preeti Pradyotkumar Kothari.
Colindale Holdings Ltd	1,100,000.00	
Nirav Modi	38,975,903.68	
Rosy Blue HK	9,431,224.79	Owned by Maiank Mehta (Brother in Law of Nirav Modi – Husband of Purvi Modi/Mehta)

The above facts of diversion of money to Rosy Blue HK and Nirav Modi was also confirmed by Mr. Rushabh Jethwa during his statement dated 14.09.2018 and the transactions of Diversion to Charing Cross Limited and Colindale Holdings Limited is reflected in table listing the transactions 00002192636 of Pacific Diamonds FZE maintained in Barclays Bank in forthcoming para 4.8.k.

4.8 Diversion to Nirav Modi & Deepak Modi and Repayment of Loan availed by them through tainted Money:

- 4.8.a During the investigation, Mr. Divyesh Gandhi (Accountant of Hong Kong Based dummy companies if Nirav Modi) in his statement dated 17.04.2018 stated that Nirav Modi and Deepak Modi borrowed USD 15.7 Million from a recipient of illicit money namely Brilliant Diamonds Ltd and the said loan was settled by Nirav Modi. In the same statement dated 17.04.2018, Divyesh Gandhi submitted the financials and Tally Data (Accounting Ledgers) of all the Hong Kong based dummy companies of Nirav Modi.
- 4.8.b During the investigation, the bank statement of Pacific Diamonds FZE having account No. 010948488166 maintained in Mashreq Bank, UAE (Submitted by Mr. Sandeep Mistry vide emails dated 30.01.2019) revealed that the above said loan was repaid by Pacific Diamonds FZE on behalf of Nirav Modi and Deepak Modi. It is pertinent to mention here that M/s Pacific Diamonds Fze is a major beneficiary of funds obtained through fraudulently issued LoUs.



It is also corroborated by the statement of Mr. Kurian Mathews, (Supervisor of Accounts of Dubai based dummy companies of Nirav Modi) that more than USD 100 Million were transferred to Nirav Modi from Dubai based beneficiaries of Fraudulent LoUs.

(The said emails containing the various account statements of Dubai based companies as provided by Sandeep Mistry is enclosed as **Annexure F10**)

4.8.c The account statements of the Pacific Diamonds FZE submitted by Sandeep Mistry having account No. 010948488166 maintained in Mashreq Bank, UAE was Compared with the Tally Data of Hong Kong based dummy companies and the above facts were exactly corroborated as detailed below:

Debits From Pacific Diamonds FZE		
Date	Transaction Reference No.	Debit (USD)
19/11/12	DM adv rtd BRDI Brilliant Diamonds Limited / 817-372931-838	4,620,000.00
19/11/12	NM adv rtd BRDI Brilliant Diamonds Limited / 817-372931-838	3,975,000.00
22/11/12	Brilliant AD NM Brilliant Diamonds Limited/917-372931-838	3,672,900.00
22/11/12	Brilliant AD DM Brilliant Diamonds Limited/917-372931-838	5,605,700.00
29/11/12	DKM adv reted Brilliant Diamonds Limited / 817-372931-838	3,351,800.00
29/11/12	DM adv reted Fancy Creations Company Ltd / 817-367782-838	1,010,032.00
29/11/12	NDM adv reted Brilliant Diamonds Limited / 817-372931-838	3,356,700.00
29/11/12	DKM adv rtd Auragem Company Limited / 817-367501-838	1,508,060.00
04/12/12	Mbol crss bord fund trf/817-372931-838 mbol-1013487 (033mbfn123390011) Charges 011048005888mbol-1013487advance returned by Deepak Modi (033mbfn123390011)	3,052,600.00 19.18
04/12/12	Mbol crss bord fund trf/817-372931-838 mbol-1013530 (033mbfn123390014) Charges 011048005888mbol-1013530advance return by Deepak k Modi (033mbfn123390014)	1,059,700.00 19.18
04/12/12	Mbol crss bord fund trf /817-372931-838 mbol-1013491 (033mbfn123390016) Charges 011048005888mbol-1013491advance return by nirav d modi (033mbfn123390014)	3,601,300.00 19.18
04/12/12	Mbol crss bord fund trf/817-367501-838 mbol-1013514 (033mbfn123390535) Charges 011048005888mbol-1013514return of advance by Deepak modi (033mbfn123390535)	1,510,200.00 19.18
10/12/12	Mbol crss bord fund trf channel: Matrix matrix ref:0651551012121329 credit acc no: 817-372931-838	1,094,100.00



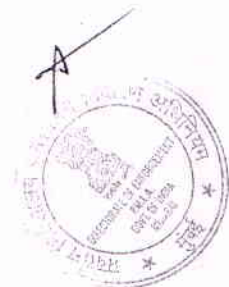
	customer ref: Ndm adv rtd beneficiary name: Brilliant Diamonds ltd transfer type: 0004-others(03361f1123450001)	
10/12/12	mbol crss bord fund trf channel:matrix matrix ref:0637991012121228 credit acc no:917-372931-838 customer ref:dm adv rtd beneficiary name: brilliant diamonds Limited transfer type:0004-others,, (03363d4123450002)	4,491,800.00
12/12/12	mbol crss bord fund trf channel:matrix matrix ref:0957851212121137 credit acc no:817-367782-838 customer ref:dkm adv rtd beneficiary name:fancy creations company ltd transfer type:0004-others,,, (033824c123470002)	970,300.00
12/12/12	mbol crss bord fund trf channel:matrix matrix ref:0956661212121134 credit acc no:817-365701-838 customer ref:dm advrtd beneficiary nem:Auragem company limited transfer type:0004-others,,, (033825e123470002)	2,001,300.00
13/12/12	Mbol crss bord fund trf channel:matrix matrix ref:1151151312121459 credit acc no:817-372931-838 customer ref:cj adv rtd beneficiary name:brilliant diamonds ltd transfertype:0004-others,,, (03397a6123480002)	3,200,740.00
19/12/12	Mbol crss bord fund trf channel:matrix matrix ref:1811521912121429 credit acc no:817-372931-838 customer ref: cj advance rtd beneficiary name:brilliant Diamonds Ltd transfer type:0004-others,,, (033e49e123540001)	3,108,900.00
19/12/12	Mbol crss bord fund trf channel:matrix matrix ref:1811001912121426 credit acc no:817-372931-838 customer ref:dkm adv return beneficiary name:brilliant diamonds limited transfer type:0004-others,,, (0333e4fa123540001)	3,390,450.00
20/12/12	Mbol crss bord fund trf channel:matrix matrix ref:1967882012121518 credit acc no:817-372931-838 customer ref:cj advance rtd beneficiary name:brilliant diamonds limited transfer type:0004-others,,, (033f139123550001)	2,110,360.00
20/12/12	~~~credit acc no: 817-367501-838 customer ref: DKM adv rtd beneficiary name: Auragem Company Limited transfer type: 0004-others(03361f1123450001)	1,385,280.00
24/12/12	Mbol crss bord fund trf channel:matrix matrix ref:2310962412121423 credit acc no:817-372931-838 customer ref:dkm adva rtd beneficiary name:brilliant diamonds limited transfer type:0004-others,,, (03326f7123590001)	4,696,700.00
31/12/12	Mbol crss bord fund trf channel:matrix matrix ref:3007163112321414 credit acc no:817-372931-838 customer ref:dkm adv return beneficiary name:brilliant diamonds limited transfer type:0004-others,,, (03382bb123660002)	4,886,900.00



03/01/13	Online International Money Transfer Channel: Matrix matrix ref:3343160301131510 credit acc: No. 817-372931-838 customer ref: dkm adv rtd beneficiary name: Brilliant Diamonds ltd transfer type: 0004-others(033c3a6130030002)	4,875,600.00
07/01/13	Online International money transfer (033f1c8130070002)	1,696,732.00
15/01/13	Online International Money Transfer transfer channel:matrix matrix ref:4269411401131046 credit acc no:817-372931-838 customer ref:dkm advance rtd beneficiary name: brilliant diamonds limited transfer type: 0004-others,,, (033c4f130150004)	2,250,000.00
Total funds Paid by Pacific Diamonds FZE on behalf of Nirav Modi, Deepak Modi and Chang Jiang SA to Hong Kong based dummy companies		7,64,83,230.72

4.8.d The same entries matched with the tally data of Hong Kong based dummy companies as detailed below:

Date	Company	Account	Particulars	Vch Type	Vch No.	(USD) Credit Amount
20-11-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	141	4619947.44
20-11-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Nirav Modi	Receipt	140	3974947.44
24-11-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Nirav Modi	Receipt	142	3672847.44
26-11-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	144	5605647.44
30-11-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	149	3351747.44
30-11-2012	Fancy	HSBC USD (Saving)	Deepak K Modi	Receipt	225	1009979.44
30-11-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Nirav Modi	Receipt	150	3356647.44
30-11-2012	Auragem	HSBC-USD	Deepak K Modi	Receipt	176	1508006.60
05-12-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	151	3052547.44
05-12-2012	Fancy	HSBC USD (Saving)	Deepak K Modi	Receipt	231	1059700.00
05-12-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Nirav Modi	Receipt	152	3601247.44
05-12-2012	Auragem	HSBC-USD	Deepak K Modi	Receipt	180	1510200.00
11-12-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Nirav Modi	Receipt	159	1094047.44
11-12-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	158	4491747.44
13-12-2012	Fancy	HSBC USD (Saving)	Deepak K Modi	Receipt	242	970265.00
13-12-2012	Auragem	HSBC-USD	Deepak K Modi	Receipt	192	2001265.00
14-12-2012	Brilliant Diamonds	HSBC USD SAV-A/C (817-372931-838)	Chang Jiang SA	Receipt	162	3200687.44
20-12-2012	Brilliant Diamonds	HSBC USD SAV-A/C (817-372931-838)	Chang Jiang SA	Receipt	167	3108847.44
20-12-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	166	3390397.44
21-12-2012	Brilliant Diamonds	HSBC USD SAV-A/C (817-372931-838)	Chang Jiang SA	Receipt	168	2110307.44
21-12-2012	Auragem	HSBC-USD	Deepak K Modi	Receipt	200	1385245.00
27-12-2012	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	169	4696647.44
02-01-2013	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	174	4886847.44
04-01-2013	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	178	4875547.44
08-01-2013	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	180	1696679.44
16-01-2013	Brilliant	HSBC USD SAV-A/C (817-372931-838)	Deepak Modi	Receipt	184	2249947.44
Total funds received in Hong Kong dummy companies on behalf of Nirav Modi, Deepak Modi and Chang Jiang SA from Pacific Diamonds FZE						7,64,81,944.40



4.8.e From the limited available Account statement of Unique Diamond and Jewelery (672353129001) maintained in ADCB Bank submitted by Sandeep Mistry vide his email dated 30.01.2019, the diversion of fraudulent Funds was observed:

Date	Particulars	Particulars	Debit (USD)
17-Aug-11	To DKM-PDM	DKM – PDM	750,000.00
29-Aug-11	To DKM-PDM	DKM-PDM	700,000.00
05-Sept-11	To NDM	DKM-PDM	1,150,000.00
27-OCT-11	To DKM-PDM		750,000.00
Total funds diverted from Pacific Diamonds FZE from tainted funds to Deepak Modi and Purvi Modi:			2,600,000.00

4.8.f The same liability of advance was discharge from the Pacific Diamonds as detailed in previous para. Thus, it is proved beyond doubt that that repayment of loans taken by Deepak Kumar Modi (DKM/DM) and Nirav Modi (NM) was made by Pacific Diamonds FZE from the illicit money received.

4.8.g Therefore, after perusal of the Tally data of the Hong Kong based dummy company's vis a vis the account statement of Pacific Diamonds submitted by Sandeep Mistry, the Directorate has been able to identify the trail of USD 52.36 Million paid by Pacific Diamonds on behalf of Deepak Modi in lieu of loan taken by Deepak Modi from Hong Kong based companies. Similarly, the Directorate identified that advances to the tune of USD 15.79 million paid by Pacific Diamonds FZE on behalf of Nirav Modi and USD 8.49 Million taken by Chang Jiang (a company owned by Deepak Modi) from Hong Kong based companies.

4.8.h Further, it was also observed that similar payments were made to other companies in Hong Kong and Dubai as well from the accounts of Pacific Diamonds FZE with similar remarks as repayment of loan/advance.

A list of similar payments made from Account of Pacific Diamonds FZE (Mashreq) is given below:

Date	Particulars	Debit (USD)	Remarks
12/12/12	Mbol crss bord fund trf channel:matrix matrix ref:0959131212121141 credit acc no.:817-367782-838 customer ref:tristarw adv rtd beneficiary name:fancy creations company ltd transfer type:0003-trade,,, (033824d123470002)	2,007,718.00	Advance returned by Pacific Diamonds on behalf of Tristar Worldwide LLC
12/12/12	Mbol crss bord fund trf channel:matrix matrix ref:0960221212121145credit acc no.:817-367782-838 customer ref:konalg adv rtd beneficiary	30645.00	Advance returned by Pacific Diamonds on behalf of Komal Gems



	name:fancy creations company ltd transfer type:0003-trade,,, (03384ae123470001)		
17/12/12	Mbol – other mashreq act trf channel:matrix matrix ref:1510121712121231 credit acc no: ae820330000010849432620 customer ref: dm rtd adv beneficiary name:unique diamond and jewellery fze,,, (033clef123520001)	2,280,600.00	Advance returned by Pacific Diamonds on behalf of Deepak Modi
18/12/12	Mbol – other mashreq act trf channel:matrix matrix ref:1661281812121329 credit acc no: ae820330000010849432620 customer ref: nm adv rtd beneficiary name:unique diamond and jewellery fze,,, (033d3dd123530001)	1,445,047.00	Advance returned by Pacific Diamonds on behalf of Nirav Modi
18/12/12	Mbol – other mashreq act trf channel:matrix matrix ref:1661641812121331 credit acc no: ae820330000010849432620 customer ref: neeshal adv rtd beneficiary name:unique diamond and jewellery fze,,, (033d3de123530001)	751,624.27	Advance returned by Pacific Diamonds on behalf of Neeshal Modi
18/12/12	Mbol – other mashreq act trf channel:matrix matrix ref:1682811812121543 credit acc no: ae640330000010948488331 customer ref: dm adv return beneficiary name:diagems fzc,, (033d3e0123530001)	1,407,050.85	Advance returned by Pacific Diamonds on behalf of Deepak Modi
24/12/12	Mbol crss bord fund trf channel:matrix matrix ref:2311542412121427 credit acc no.:817-367782- 838 customer ref:jmc ret advances beneficiary name:fancy creations company ltd transfer type:0004-others,,, (03326e7123590001)	2,003,257.00	Jmc- Jewellery Marketing Company llc, (Controlled by Gitanjali Group)
27/12/12	Mbol – other mashreq act trf channel:matrix matrix ref:2661492712121401 credit acc no: ae820330000010849432620 customer ref: ndm advance rtd beneficiary name:unique diamond and jewellery fze,,, (033562a123620002)	1,385,500.95	Advance returned by Pacific Diamonds on behalf of Nirav Modi
27/12/12	Mbol – other mashreq act trf channel:matrix matrix ref:2661722712121402 credit acc no: ae820330000010849432620 customer ref: dkm adv return beneficiary name:unique diamond and jewellery fze,,, (033562b123620002)	450,360.00	Advance returned by Pacific Diamonds on behalf of Deepak Modi
16/01/13	3 rd party account transfer within mashreq channel:matrix matrix ref:4538251601131341 credit acc no: ae640330000010948488331 customer ref: dkm advance rtn beneficiary name:diagems fzc,, (03372ea130160003)	1,975,800.00	Advance returned by Pacific Diamonds on behalf of Deepak Modi
17/01/13	3 rd party account transfer within mashreq channel:matrix matrix ref:4663581701131430 credit acc no: ae640330000010948488331 customer ref: dkm advance rtd beneficiary name:diagems fzc,, (03382ce130170004)	165,100.00	Advance returned by Pacific Diamonds on behalf of Deepak Modi
17/01/13	3 rd party account transfer within mashreq channel:matrix matrix ref:4663771701131431 credit acc no: ae640330000010948488331 customer ref: cj advance rtd beneficiary name:diagems fzc,, (03382d0130170004)	4,070,250.00	Advance returned by Pacific Diamonds on behalf of Chang Jiang (Deepak Modi's company)



19/01/13	3 rd party account transfer within mashreq channel:matrix matrix ref:44771981901131157 credit acc no: ae640330000010948488331 customer ref: dkm advance rtn beneficiary name:diagems fzc,, (03382c20130190004)	5,120,700.00	Advance returned by Pacific Diamonds on behalf of Deepak Modi
	Total funds diverted from Pacific Diamonds FZE from tainted funds in Guise of Loan/Advance discharge:	23,093,653.07	

4.8.i Some entries in the above-mentioned statements were vague in description such as"

Date	Transaction (reference No)	Debit
09/01/13	3 rd party account transfer within mashreq (0331126130090002)	3,468,250.00
10/01/13	3 rd party account transfer within mashreq (0332417130100002)	3,312,600.00
29/01/13	3 rd party account transfer within mashreq (03300b4130280004)	3,545,190.00
29/01/13	3 rd party account transfer within mashreq (03315a9130290004)	1,893,600.00
30/01/13	3 rd party account transfer within mashreq (0332a60130300003)	6,344,100.00
05/02/13	3 rd party account transfer within mashreq (0339877130360005)	1,505,700.00
03/04/13	3 rd party account transfer within mashreq (0330492130930001)	1,145,700.00
08/04/13	3 rd party account transfer within mashreq (0333ae5130980001)	3,152,700.00

4.8.j While scrutinizing the transactions in account statement of Unique Diamond and Jewellery (010948432620) maintained in Mashreq Bank, it was observed that the above-mentioned transactions were loan liability discharged by Pacific Diamonds FZE from tainted funds on behalf of Deepak Modi as detailed in previous para.

Date	Transaction Description	Transaction Reference	Customer reference	Debit
09/01/13	Account Transfer within	3861310901131145	DKM Adv Return	3,468,250.00
10/01/13	Account Transfer within	4016091001131505	DKM Adv Return	3,312,600.00
29/01/13	Account Transfer within	5541772801131045	DKM Adv Return	3,545,190.00
29/01/13	Account Transfer within	5732942901131617	DM Advance Rtn	1,893,600.00
30/01/13	Account Transfer within	5851253001131505	DKM Advance Rtn	6,344,100.00
05/02/13	Account Transfer within	6557010502131120	DKM Advance Rtn	1,505,700.00
03/04/13	3 rd party account trans	2279010304131104	DKM Advance Retn	1,145,700.00
08/04/13	3 rd party account trans	2705230804131144	DKM Advance Retn	3,152,700.00
Total funds diverted from Pacific Diamonds FZE from tainted funds in Guise of Loan/Advance of Deepak Modi discharge:				24,367,840.00



4.8.k Again, from the account statement of Account No. 00002192636 of Pacific Diamonds FZE maintained in Barclays Bank, the following suspicious entries were observed:

Date	Particulars	Debit (USD)
26/03/2014	IFE_OUTWARD Transfer Customer Ref No. 1010IF1140850050 TO the order of /91417400 Purvi Deepak Modi , 55 Garden Rd, Estoril Court, Block, Mid-Levels Hong Kong Loan Return	1,000,016.34
24/09/2014	IFE_OUTWARD Transfer Customer Ref No 1010IF1142670041 TO the order of /AB600110090010200021530 Colindale Holdings Ltd 409 City Tower 1, P.O. Box 118767, Shaikh Zayed Road, Dubai – Loan	1,100,016.34 (Owned by Preeti Pradyot Kumar Kothari, Wife of Mehul Choksi)
24/09/2014	IFE_OUTWARD TRANSFER Customer Ref No 1010IF1142670043 TO the order of /AE250110090010200023518 Charing Cross Limited , 409 City Tower 1, P.O. Box 118767, Shaikh Zayed Road, Dubai – Loan	300,016.34 (Owned by Preeti Pradyot Kumar Kothari, Wife of Mehul Choksi)
25/09/2014	IFE_OUTWARD TRANSFER Customer Ref No 1010IF1142680059 to the order of /820173 Pavilion Point Corporation Flat A7 F BLK 1 ESTORIL COURT 55 GARDEN RD MID EVELS SINGAPORE Commission for 2013	42,016.34 (owned by and Maiank Mehta Purvi Modi Mehta [Sister of Nirav Modi])
	Total funds diverted from Pacific Diamods FZE in guise of Loan	2,442,065.36

4.8.l After further perusal of account statement of Account No. 72965419401-USD (IBAN AE29003000072965419001) of Pacific Diamonds FZE maintained in ADCB Bank, the following transactions were observed:

Date	Customer Reference No	Description	Debit amount
12-Mar-2013	DKM ADV RTN	TRF to Unique Diamond and Jewellery	4,191,300.00
19-Sep-2013	PDM IND BOI MM 92013	5000000008770394-USD 1350810	1,350,810.00
19-Sept-2013	PDM BOI MAM 1909	5000000008777043-USD 1649190	1,649,190.00

Thus by way of taking loan from Hong Kong and Dubai dummy companies and discharging that liability from Pacific Diamonds FZE, Mr. Nirav Modi had diverted more than USD 126 Million from tainted funds.

4.8.m It is crucial to mention here that the preceding entries just before the loan repayment entries were nothing other than illicit LoU funds obtained by defrauding PNB. An example of the said diversion is detailed below:



6	09-Mar-2013	09-Mar-2013	002344242103		B/O SOLAR EXPORTS, 002344242	-	1,648,127.15	1,672,222.63
7	12-Mar-2013	12-Mar-2013	002346141102		B/O DIAMOND R US, 002346141	-	2,621,467.91	4,293,890.54
8	12-Mar-2013	12-Mar-2013	346503366	DKM ADV RTN	TRF TO UNIQUE DIAMOND AND JEWELLERY - FZ	4,191,300.00	-	102,390.54

The abovesaid credit entries were matched with the details of fraudulent LoUs submitted by Punjab National Bank. It was found that the amount received in the account was nothing other than the fraudulent LoUs issued from Punjab National bank as detailed below:

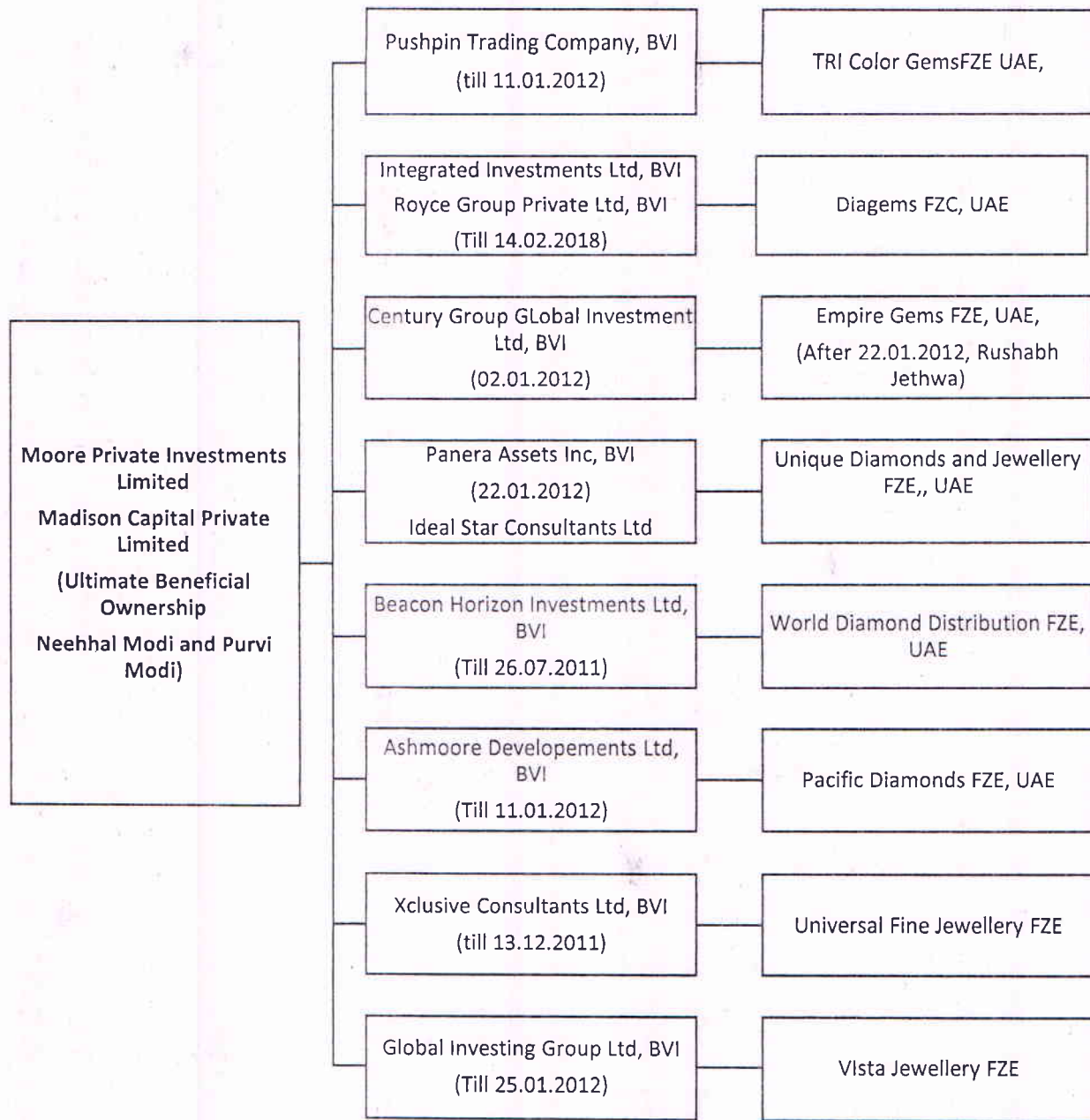
APPLICANT NAME	LOU Amt(USD)	LOU Ref.No.	Overseas supplier name	Amount (USD)	DATE OF REMITTANCE	Beneficiary	Beneficiary Account No.
SOLAR EXPORTS	16,46,165.15	3731/SOLAR/13	PACIFIC DIAMONDS FZE,UAE	16,46,165.15	8-Mar-13	PACIFIC DIAMONDS FZE	AE280030000 729654194001
DIAMOND R US	45,56,253.86	3731/FIBC/13	PACIFIC DIAMONDS FZE,UAE	26,21,505.91	11.03.2013	PACIFIC DIAMONDS FZE	AE2800300 00729654194001
DIAMOND R US	33,81,690.75	3731/FIBC/13	AURAGEM COMPANY LIMITED	38,71,804.19	11.03.2013	FANCY CREATIONS COMPANY LTD	81736 7782838
DIAMOND R US		3731/FIBC/13	AURAGEM COMPANY LIMITED	14,44,634.51	11.03.2013	AURAGEM COMPANY LIMITED	81736 7501838

4.8.n Therefore, Deepak Kumar Modi & Nirav Modi have illegally siphoned off at least USD 126 Million in garb of Loan from Hong Kong based dummy companies and have created alibi of returning the amounts through Dubai based dummy companies again from the fraudulent LoUs.

4.9 Ownership of the Companies through Complex British Virgin Islands Structure

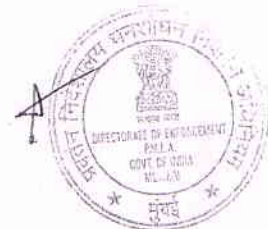
4.9.a The companies registered in UAE which were the direct recipients of LoUs were initially incorporated through complex BVI subsidiary structure. The Incorporation of the companies was done by Mr. Chaitanya D Shah through Consulting Firm Trident Trust Company, BVI. The companies and the subsidiaries were incorporated in various names but their Ultimate Beneficial Ownership Certificates vested in Neeshal Modi and Purvi Modi. The details submitted by Mr. Chaitanya D. Shah are enclosed as **(Annexure F11)**. The details can be summarized as below:





4.9.b It is important to mention here that the companies had already received huge amount of illicit LoU funds under beneficial ownership of Neeshal Modi and Purvi Modi before 2012 also:

Firm	Date of Ownership Change	Amount received from Fraudulent LoUs before Ownership Change (USD)
TRI Color Gems FZE	11.01.2012	7,817,713.20
Diagems FZC	02.10.2012	49,713,307.60
Pacific Diamonds FZE	11.01.2012	8,442,644.35
Universal Fine Jewellery FZE	13.12.2011	10,167,496.95



4.10 Plan to Invest Tainted Funds as FDI in the name of Alecust and Progress investment limited

In 2017, Nirav Modi planned to invest money into Firestar India by FDI route through two companies namely Alecust Global Holding Limited Mauritius and Progress Investment limited, Cyprus. These companies were supposed to invest USD 30 Million and USD 20 Million. These two companies were supposed to receive funds from Lambasa Global opportunity Fund BV and Universal ventures fund SCC respectively. These investments were coordinated by the Amicorp (Mauritius) limited and documentation etc. was being done by Amergeris wealth Management (Barbados) limited. In the conversation between the officials of Firestar and Amergeris wealth management (Barbados) Limited, two offshore companies of Purvi Modi namely Palmate Investments limited and Pristyn holdings limited were termed as "Prospective Investor" as per the details fetched by the Directorate these two companies were formed on 23/01/2017 in BVI, having accounts 1030220012020101 (Pristyn Holdings Ltd.) and 1030210012020101(Palmate Investments) in Amicorp Bank & Trust Barbados. To carry out this bogus FDI, from Pristyn Holdings Ltd. Funds to the tune of 86808 USD were transferred to Lambasa Global Opportunity fund BV and from Palmate investment funds to the tune of 116,250 USD were transferred to Universal ventures und, SCC both these funds were the Shareholders of Alecast Global Holdings limited, Mauritius & Progress Investment Limited, Cyprus. This Bogus FDI was planned exactly in the manner of bogus FDI done by Jade Bride Holdings Ltd & Forcom Worldwide Investments Ltd In 2013-14 with the tainted fund. But due to change of plan by Nirav Modi, the scheme could not be materialize & instead of doing investment on the name of Alecust & Progress, Nirav Modi himself invested 440 Crore in his name only in 2017.

The above facts have been corroborated by Ravi Shankar Gupta in his statement u/s 50 of PMLA dated 10.09.2018 and by Maarten Van De Noort vide his submissions by emails dated 16.11.2018, 03.09.2018, 27.08.2018, 16.07/2018, 11.07.2018 (Annexure-F4)

Conclusion:

From the investigations detailed above, it is crystal clear that Shri Nirav Modi with his accomplices has laundered the proceeds of Crime obtained from fraudulent LOUs. The diversion of proceeds of crime is summarized below:



Sr.	Description	Diversion (USD Million)
Diversion to Overseas Countries		
1	Diversion to USA, directly Paid from LOUs to A. Jaffe and Firestar Diamond INC.	4.97
2	Diverted to Firestar USA, Belgium, Hong Kong from 6 Dummy companies in Hong Kong	282.01
3	Diverted to other companies (Collindale Holdings Ltd, Charing Cross Ltd and Rosy Blue HK)	10.83
	Bailey Banks and Biddle/Link High International/Twin Field Investments (42.8 as per USA Examiner appointed by USA Bankruptcy Court Report, 5.3 from Auragem Company Ltd)	48.1
		345.91
Diversion to Purvi Modi		
3	Purvi Modi (from Fine Classic FZE, via Firestar Holdings Limited, Hong Kong & Shri Maiank Mehta) (Purvi Modi- Preference Share transfer of Fine Classic 65 Million) (Purvi Modi- by Deepak Modi Family Laon Settlement 20 Million) (30 Million - Gift from Maiank Mehta for Investment 30 Million)	115.00
	From Fine Classic FZE to Personal Account of Purvi Modi	60.10
	Total	175.1
Diversion to Firestar International Private Limited, India		
1	From Dubai based 9 companies where LOU monies were received (Via EEMF and Nirav Modi in gib of FDI) (Through EEMF, Jade Bridge and Forecom Worldwide-50 Mio) (Nirav Modi personal FDI from Dubai 65 Mio)	115.00
2	From Hong Kong (as net remittance from 6 Dummy companies in Hong Kong)	24.41
3	Via Jain Diamonds Pvt. Ltd, India	6.39
4	From Axis Bank Accounts of Solar Exports, Stellar Diamond and Diamonds R US to Firestar Group Companies (INR 165.57 Crore @ INR65/USD)	25.31
	Total	171.11
Diverted to Nirav Modi		
1	Diverted to Nirav Modi (18.53 In guise of Advance return from Pacific Diamonds FZE reflected in Bank statements submitted by Sandeep Mistry)	38.97
2	From Axis Bank Accounts of Stellar Diamond, Solar Exports and Diamonds R US (INR 9.65 Crore @ INR65/USD)	1.48
3	From PNB Accounts of Stellar Diamond, Solar Exports and Diamonds R US (INR 127.67 Crore @ INR65/USD)	19.64
	Total	60.09
Diverted to Deepak Modi		
1	Deepak Modi (92.32 Million In guise of Advance return from Pacific Diamonds FZE reflected in Bank statements submitted by Sandeep Mistry)	153.84
2	Chang Jiang SA (Owned by Deepak Modi) Trail of USD 12.48 identified in guise of Advacne returned from Pacific Diamonds FZE reflected in Bank statements submitted by Sandeep Mistry)	21.74
	Total	175.58
	Grand Total	927.79
	Balance Diversion from UAE and Hong Kong companies	87.56



5. Under Section 50(2) and (3) of the PMLA, 2002, the officers of this Directorate, not below the rank of an Assistant Director, are authorized to summon any person whose attendance is deemed necessary either to give evidence or to produce any records during the course of any investigation or proceeding under this Act. Further, the persons so summoned are bound to attend in person in terms of section 50(3) of the Act. Furthermore, these proceeding shall be deemed to be judicial proceedings within the meaning of Section 193 and Section 228 of the Indian Penal Code, 1960 (45 of 1860). In pursuance thereof, summons was issued on 15.02.2018, 17.02.2018 & 22.02.2018 to Mr. Nirav Modi, Ex- Partner & Controller of the abovementioned firms/entities to appear before this Directorate on 16.02.2018, 22.02.2018 & 26.02.2018 respectively, for recording of his statement and to disclose the facts of the case in furtherance of the investigations being conducted. However, instead of complying with the summons, Mr. Nirav Modi deliberately and intentionally evaded attendance before Investigating Officer on one pretext or the other. In his reply to the said summons of the Investigating Officer, through email, he claims that he is working abroad and dealing with his businesses therein and as such, he will only communicate through his email – "niravmodifireshardiamond@gmail.com". He has willfully, deliberately and intentionally avoided appearing before the Directorate in clear non-compliance to the summons issued to him. Copies of the Summons are enclosed herein and marked as **Annexure – G**.

5.1.2. It is further submitted that even after issuance and receipt of said summons by the aforesaid method to the accused, he failed to appear. His replies are evasive and only appear to be a façade to somehow escape the clutches of law. He has deliberately, intentionally and knowingly remained absent after receipt and acknowledgement of the said summons, issued to him in accordance with law by the aforesaid methods.

5.1.3. Accordingly, in pursuance to an application filed by the E.D., and open ended Non Bailable Warrant dated 05.03.2018 was issued by the Honourable Special PMLA Court, Mumbai against Mr. Nirav Deepak Modi for his arrest and production before the Court. However, due to his non - availability in India, the same remained unexecuted. Further, after filing of Prosecution complaint, at the request of ED, a fresh open ended Non Bailable Warrant dated 27.07.2018 was issued by the Hon'ble Special PMLA Court,



Mumbai against Mr. Nirav Modi. A copy of the NBW is enclosed herein and marked as **Annexure - H**.

5.1.4. On the request of ED, the Regional Passport Office, Mumbai passed an order dated 23.02.2018 of Revocation of Passport of Shri Nirav Deepak Modi. Copy of Revocation Order is enclosed herein and marked as **Annexure – I**.

5.1.5. Further, an application has been filed by the ED under the provisions of section 4 of the Fugitive Economic Offenders Ordinance, 2018, to pronounce and declare the fugitive accused Mr. Nirav Deepak Modi as a fugitive economic offender, by Hon'ble Special Court under section 12 of the Fugitive Economic Offenders Ordinance, 2018 and order for the confiscation of the properties as provided under the said ordinance.

5.1.5 During the course of investigation, it was found that Shri Nirav Modi through his companies namely, M/s. Firestar Diamond, LLC; Firestar Diamond, FZE; Firestar Diamond PTE Ltd. etc. has siphoned off the monies illicitly acquired by fraudulent means to foreign land and has parked his money in different accounts and properties overseas by way of money laundering. Hence, 18 Letters Rogatory (LR) under section 57 of PMLA have been sent to different countries (USA, UK, Singapore, UAE, South Africa, Hong Kong, France, Armenia, Belgium, China, Japan, Malaysia, Bahrain, Russia and supplementary LR to Singapore), were sent requesting for assistance for investigation and information have been issued.

6. GIST OF STATEMENTS RECORDED UNDER SECTION 50[2] AND [3] OF THE PMLA, 2002

The copies of all the statements are enclosed herein in relied upon documents.

1. Statement of **Ms. Nandita Mehta VP- Corporate Affairs**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 07.06.2018, wherein she inter alia said that she had joined Firestone in December 2009 and resigned in July 2010. She further stated that her role was focused on recruitment and HR matters; when being shown the documents regarding



BBB (Bailey Banks and Biddle) she said that in 2010, on Nirav Modi's instructions she coordinated with Gottlieb, Rackman & Reisman, P.C. to get the trademark of Bailey Banks and Biddle registered for the jewelry stores services in the name of Diamond Holdings SA. For this purpose, application forms were signed by Nirav Modi and the bills were sent to him for payment. Hence, she said that she believes that Diamond Holdings SA must be controlled or owned by Nirav Modi. **(Annexure-J1)**

2. Statement of **Shri Nileshkumar Balvantrai Mistry**, Manager of Hamilton Precious Traders Ltd FZCO was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 30.06.2018, wherein he inter alia stated that in 2007 he joined Radashir Jewellery Company Pvt. Ltd. as junior accountant. He was reporting to Kurian Mathews till 2012. In 2012, on being asked by, Saju Poulouse, he agreed to join Nirav Modi's company in Dubai. Visa and other necessary documents were arranged by Saju Poulouse. That, he was appointed as Sales Executive in Unique Diamond and Jewellery FZC in UAE, however his work profile was accounting only and he was doing data entry for the Global Accounts prepared by Saju Poulouse. In 2013, he was appointed as a Manager in newly formed company named M/s. Hamilton Precious Traders Ltd. FZCO. **(Annexure-J2)**

3. Statement of **Shri Ashish Kumar Mohanbhai Lad**, Director, Unity Trading FZE was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 30.06.2018, wherein he inter alia stated that he joined the company M/s Jewellery Creators Pvt. Ltd. on 02nd April, 2007. Since then till 2012, he worked on the same post i.e. as an accountant in the same company M/s Jewellery Creators Pvt. Ltd. whose name was later changed to Firestar Diamond Pvt. Ltd. He reported to Shri Kurian Mathews. In 2012, after agreeing to Shri Saju Poulouse, Shri Saju Poulouse arranged his Visa and Tickets to Dubai, that he went to Dubai on 24.04.2012 and joined the company Vista Jewellery FZE. He stated that he was shown as an employee of Vista Jewellery FZE. In Dubai, his work was to enter the sale and purchase entries in Tally Software as per invoices presented to him on instructions of Kurian Mathews; that he was on the payroll of Vista Jewellery FZE but actually he was making Tally entries for Eternal Diamond Corporation Ltd. Hong Kong, Brilliant Diamonds Limited, Hong



Kong, Tricolour Gems FZE, UAE and World Diamond Distribution FZE; He was not doing any work related to Vista Jewellery FZE.

In his further statements recorded on 28.07.2018 and 17.08.2018, Shri Ashish Kumar Lad inter alia stated that once Nirav Modi called and threatened him that after Satyendra Shukla will be arrested on 15th July, he also will be arrested; that he (Nirav Modi) will put him in false cases if Lad tries to go against Nirav Modi and will also try to kill him. He further stated that he was made to sign some documents in which wrong information was stated. He told Nehal Modi about this over phonecall and told him that he is only signing the documents containing wrong information because he did not have his passport. He further stated that he discussed this matter with other persons residing with him in Cairo and then they decided to record some call, video and audio clips. The same were submitted by Mr. Lad under his dated signature to ED. The clips contained his conversations with Sandeep Mistry, Nehal Modi and Mohammed and also a Self-Confession Video that why the all employees signed the documents under pressure. About a telephone call recorded under the file name AUD-20180625-WA0004.mp3, Ashish Lad explained that after reaching India, in one month, Nehal well arrange his tickets to Europe for giving statement in front of Europe Judge and Lawyer. For that work, Nehal offered him 20 Lacs but he refused to the offer money. He falsely agreed to Nehal's offer because if he refused, Nehal would never arrange his tickets to India from Egypt. **(Annexure J3)**

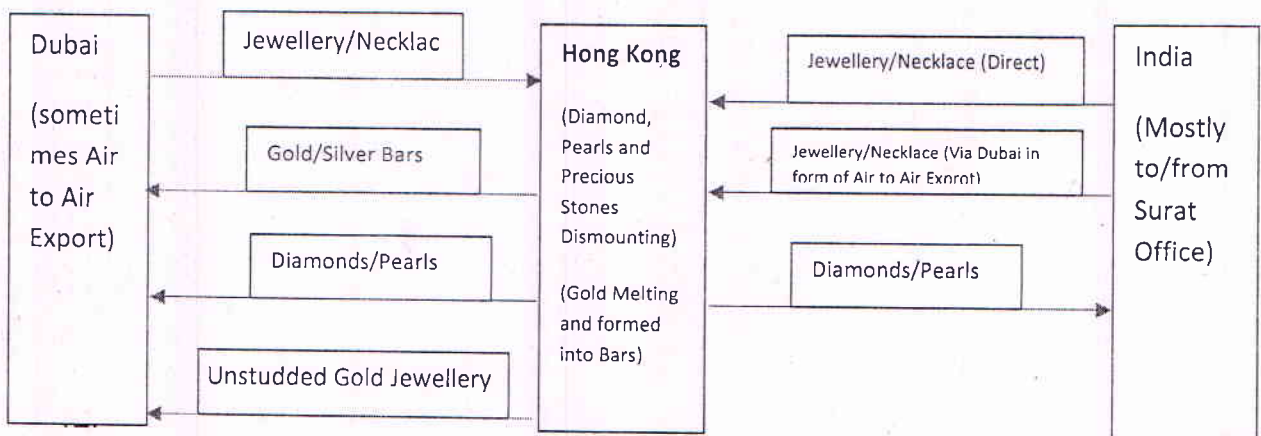
4. Statement of **Shri Ashish Bajranglal Bagaria**, Director, Eternal Diamonds Corporation Ltd., was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.07.2018, wherein he inter alia stated that he worked as a trainee assorter in 2004 in Firestone International Private Limited in Opera House office. He worked there for 3 years till 2007; that in December 2007, the local Sweets Shop owner (where he worked in 2003-04) asked him if he can go to Dubai for a Job in Cafeteria, he agreed to this and went to Dubai. After 6 months, he returned to India and In June 2009, re-joined Firestone International Private Limited and worked as a Data Entry Operator. That In September 2010, on being asked by Himanshu Trivedi, who was the head of Diamond Procurement in Firestar India, he went to Hong Kong for company work, where Hong Kong head Mr. Aditya Nanavati approved him and then Mr. Neeshal Modi selected



him for Hong Kong Location. Aditya Nanavati processed his visa application in Hong Kong (from Eternal Diamonds Corporation Limited); that his job profile was inventory controlling of Certified Diamonds and Loose Diamonds on SAP software, to enter the details of Purchase and sale of goods in SAP software. In part time, he used to work as field/delivery boy. He further stated that at the insistence of Aditya Nanavati, he signed few papers and after few days he came to know that he was made a director of Eternal Diamonds Corporation Ltd; that he was never a decision-making authority in Eternal Diamonds Corporation Limited or he never had access to view, modify, transact from or control the bank accounts.

He further stated that there were total 06 companies in Hong Kong controlled by Nirav Modi and Aditya Nanavati viz. Auragem Company Limited, Eternal Diamonds Corporation Limited, Brilliant Diamonds Limited, Fancy Creations Company Limited, Sino Traders Limited, Sunshine Gems Limited. All these companies were dummy companies and all the import-export work related to these companies were conducted from one premises only, that other than packet shifting, Local and Export Invoice manipulation for the dummy companies of Nirav Modi, the dummy directors were not doing any productive work on Diamonds, pearls and Jewellery. He stated that all the instructions from Sandeep Mistry, Aditya Nanavati used to come via secret server through panemail/cricket mail.

He stated that it can summarize the flow of dismounting of Jewellery as under:



He further gave the list of 06 dummy companies at Hong Kong alongwith the names of dummy directors/shareholders of these dummy companies as well as names of 13 dummy companies at Dubai and stated that all these directors/owners in Hong Kong companies are only namesake directors and actual control is enjoyed by Nirav Modi through his associates Mihir Bhansali and Aditya Nanavati.

In his further statement dated 16.10.2018, he reiterated that 2 consignments of value USD 90,61,419.65 and USD 2,59,12,611.67 imported by Hong Kong based companies from Dubai based companies, were held by G4S International, Hong Kong. He further stated that G4S International informed that they had instructions from India Counterpart namely Sequel Logistics not to deliver the shipments to the Hong Kong based companies. (Annexure J4)

5. Statement of **Shri Bhavik Jayesh Shah**, Director, Brilliant Diamonds Ltd., Hong Kong was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.07.2018, wherein he inter alia stated that in 2009, his Brother-in-Law Shri Kartik Doshi (who was working in Firestone International Private Limited) referred him and then he Joined Firestone International Private Limited in April 2009. That In 2010, on being asked by Himanshu Trivedi, who was the head of Diamond Procurement in Firestar India, he went to Hong Kong, where Hong Kong head Mr. Aditya Nanavati approved him and then Mr. Neeshal Modi selected him for Hong Kong Location; that Aditya Nanavati processed his visa application in Hong Kong (from Eternal Diamonds Corporation Limited); he further stated that at the insistence of Aditya Nanavati, he signed few papers and after few days he came to know that he was made a director of Brilliant Diamonds Ltd; that he was never a decision-making authority in Brilliant Diamonds Limited. He further stated that there were total 06 companies in Hong Kong controlled by Nirav Modi and Aditya Nanavati viz. Auragem Company Limited, Eternal Diamonds Corporation Limited, Brilliant Diamonds Limited, Fancy Creations Company Limited, Sino Traders Limited, Sunshine Gems Limited. All these companies were dummy companies and all the import-export work related to these companies were done from one premises only, that he alongwith Ashish Bagaria used to prepare Local sale/Purchase invoices by adding some 100-500 USD to Import Invoice value on random basis before further export; that other than



packet shifting, Local and Export Invoice manipulation for the dummy companies of Nirav Modi, the dummy directors were not doing any productive work on Diamonds, pearls and Jewellery. He stated that all the instructions from Sandeep Mistry, Aditya Nanavati used to come via secret server through panemail/cricket mail. He further stated that they used to receive Jewellery from Surat plant of Solar Diamonds, Solar Export and Diamond R US and Firestar International Private limited. The jewellery quality was so bad the diamonds were not studded at the jewellery instead, they were glued to the base with adhesive for easy removal, re-export and rotation. After some time, the Customs officials objected to this and after the objection, the diamonds were properly set on the base, yet the quality remained the same. He further gave the list of 06 dummy companies at Hong Kong alongwith the names of dummy directors/shareholders of these dummy companies as well as names of 13 dummy companies at Dubai and stated that all these directors/owners in Hong Kong companies are only namesake directors and actual control is enjoyed by Nirav Modi through his associates Mihir Bhansali and Aditya Nanavati. He further stated that Nehal Modi came to Hong Kong after the case and instructed that they have to liquidate all the dummy companies in Hong Kong and to destroy their old mobile. On one day in March 2018, he instructed them to pack all the stock available of all the dummy companies. They packed the stock (10-12 Parcels of Loose diamonds and some big diamonds/Stones) and Nehal Modi and one other person came and took away the packets.

In his further statement dated 16.10.2018, he reiterated that 2 consignments of value USD 90,61,419.65 and USD 2,59,12,611.67 imported by Hong Kong based companies from Dubai based companies, were held by G4S International, Hong Kong. He further stated that G4S International informed that they had instructions from India Counterpart namely Sequel Logistics not to deliver the shipments to the Hong Kong based companies. (Annexure J5)

6. Statement of **Shri Jinesh Kirankumar Shah**, Accountant (Firestar Diamond FZE), Director, Tricolour Gems FZE was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 09.06.2018, wherein he inter alia stated that that in October 2010, he got a call from Satyendra Shukla that he has sent entry permit via email. Thereafter he received an offer letter dated 10th October, 2010 signed by Shri Kurian Mathews for



working in Firestar Diamond FZE as an accountant. At the behest of Satyendra Shukla and with a promise of additional AED 15000, he became a Director in Tri Colour Gems, FZE; that he was only doing Tally Data Entry books of accounts of Unique Diamond & Jewellery FZC, Vista Jewellery FZE and Universal Fine Jewellery FZE there and did not have any decision making power; that he used to represent M/s. Tri Colour Gems FZE and Pacific Diamonds FZE in the Banks on instructions of Kurian Mathews Satyendra Shukla and Sandeep Mistry. He further gave the names of 06 Hong Kong based companies and names of its Directors and names of 13 Dubai based companies and names of its Directors. He further stated that these Dubai based companies used to import semi-finished jewellery from Hong Kong companies. Further they used to send these jewellery to emirates gold, a refinery in UAE. There the jewelery were melted and received back in form of Gold bars. Then again, these companies used to sell the gold bars to DG brother FZE and Hamilton Precious Traders FZCO, that the same gold bars were exported to India. Diamonds were imported in the following companies from Firestar Group: M/s Unique Diamond & Jewellery FZC, Vista Jewellery FZE and Universal Fine Jewellery FZE. Then the same diamonds were shown as sold to Tri Color Gems FZE, Pacific Diamons FZE, Himalayan Traders FZE and Diagems FZE. The same diamonds were then re-exported to the same or other Firestar Group company. He further stated that Lili Investment had some transactions with Dubai dummy companies. Amount of USD 3.3 Million approx. was transferred to this company in Mar-2014 from Vista Jewellery FZE. Also, an amount of approx. USD 2 Million was transferred from Unique Diamonds FZE.

He further stated that after the case broke out, Mr. Mihir Bhansali threatened them and thereafter Mr. Nehal Modi also told them that Dubai was not safe for them so they should shift to Cairo. That since they were already misguided by Mihir Bhansali thus they agreed to shift to Cairo. Nehal Modi also arranged their Flight Tickets, VISA, Accommodation in Cairo etc. on 12th April, 2018 they 12 people (Sandeep Mistry, Jyoti Mistry, Jinesh Shah (himself). Ashish Lad, Sonu Mehta, Rushabh Jethwa, Nilesh Mistry, Shridhar Mayekar, Suby George, Vipin Sanith, Netaji Mohite and Subhash Parab). After reaching Cairo, Nehal Modi arranged their stay in Beverly Hills, Cairo. **(Annexure J6)**



7. Statement of **Shri Nilesh Veljibhai Khetani**, Nominee Director, Fancy Creations Company Limited, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 03.07.2018, wherein he inter alia stated that, he joined Jewelry Solutions Pvt Ltd (Now Firestar Diamond Pvt Ltd) as Junior Officer. In 2010, he was appointed as Officer in Firestar Diamond Hong Kong; that In Hong Kong, he used to do data entry in SAP regarding sales, purchase etc of Firestar Diamond Hong Kong, accounts entries of 4 Companies namely Fancy Creations Co. Ltd, Auragem Company Ltd, Brilliant Diamonds Ltd and Eternal Diamond Corporation Ltd except Firestar Diamond Hong Kong. After some time, two more companies were opened there namely Sino Traders Ltd and Sunshine Gems Limited; that all these six companies were also considered as the part of Firestar Group and the control of these companies was in the hands of Aditya Nanavati who took instructions from Mihir Bhansali and Nirav Modi. There was no manufacturing facility in all the six companies. There was hardly any employee except the directors in these six companies. There was no genuine business in these companies and these companies were used to transfer funds in the guise of sale-purchase and export import of goods. He further gave the names of dummy directors of all the 06 Hong Kong based dummy companies as well as 13 Dubai based companies; that he used to create the banking transactions for all the six companies. The authorizers for these transactions were Aditya Nanavati, Kurian Mathews and Sandeep Mistry. Shri Subhash Parab of Finance Team from India used to instruct him for incoming and outgoing transactions of all the six companies of Hong Kong. These six companies used to import diamond studded jewellery, plain jewellery, and pearl jewellery from India and Dubai. In Hong Kong, the diamonds were used to be removed from the jewellery and the jewellery were sent for melting in Tin Fung Jewellery Casting Company. Plain jewellery was directly sent to Hareus for melting and Gold bars were taken from the company and melting charges were used to paid to Hareus. The pearl jewellery were also got dismantled. The raw material generated through this process i.e Gold Bar, Pearl, Diamonds were used to export to India directly or through Dubai. By this way, the goods and funds used to keep rotating. He further stated that two more companies namely Luk Fung Enterprises Ltd and Oriental Precious Group Ltd were opened. These companies were floated to do the identical transactions as in other Hong Kong based companies. He further stated



that report of Aneja Assurance Pvt. Ltd. is not true and correct and all the dummy directors were advised by Mihir Bhansali to act as real directors.

In his further Statement dated 08.10.2018, **Shri Nilesh Veljibhai Khetani**, Nominee Director, Fancy Creations Company Limited, which was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, wherein he inter alia stated that Pearls were purchased from a Hong Kong based company namely Tsang Tak mo Trading Company, whose owner is an Indian, at a price around Rs.2.5 to Rs.13/Carat. These pearls were initially sold at price of 5 to 6 USD/carat to other Nirav Modi companies and later on after some rotational transactions the sell price used to be declared as 18 to 30 USD per carat.

He further stated that, after the case was registered, Mr. Nehal Modi visited Hong Kong and took over all the stock of diamonds of more than USD 6 million somewhere. Along with diamonds, 150 boxes of pearls were also taken by him to some undisclosed place. **(Annexure J7)**

8. Statement of Shri Chhotala **Shailesh Kumar**, Ex- Manager Firestar International Pvt Limited, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 15.06.2018, wherein he inter alia stated that, he joined Firestar International Pvt. Ltd. as Manager in 2010; that he used to supervise the various manufacturing work like polishing, recut, quality control of diamond etc. in Surat Factory of FIPL. He further stated that that in year 2015, Mihir Bhansali called and told that he wants some 6-7 people for "Jokham" work in SACHIN Surat. "Jokham" means transferring, counting, weighing etc of Diamonds/Gold as per the wish of company. He told that for salary for Rs.10000-12000/- any type of people will be suffice provided they should have ID proofs. After 3-4 months, Shailesh called Shri Alpesh to arrange 6-7 people for this work. He arranged 6 people through Okhad Bhai Kalsaria and made them dummu owner in the three firms in January, 2016. The name of these people are as under:-

1. Divyesh Ladmor
2. Magan Jinjala
3. Manoj Sankhat
4. Mohan Ladmor
5. Lalji Bhai Kalsaria
6. Okhad Bhai Kalsaria



6. Okhad Bhai Kalsaria

Alpesh gave him the documents pertaining to these people and he gave these documents to Neeshal Modi. After some days, these persons were called for the meeting with Saju Poulouse at Alpesh's house. He further stated after the FIR of CBI, he came to know that these persons were made partners in Solar Exports, Stellar Diamonds and Diamond R US. They were being paid Rs. 8000 per month for this ownership and they stated that they got this amount till October, 2017. (Annexure J8)

9. Statement of **Shri Netaji Mohite, Manager of Vista Jewellery FZE**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 10.08.2018, wherein he inter alia stated that, in 2006, he joined Firestar International Private Limited as Data Entry operator. In October 2010, he was sent to Dubai by the HR Department for the job of Data Entry Operator in Firestar Diamond FZE. In last 2011 or in the starting of 2012, he was appointed as Owner and Manager of Vista Jewellery FZE. He further stated that he has not invested any money in this company. Shri Satyendra Kumar Shukla and Shri Mihir Bhansali asked him to become the Manager and owner of this company. his company was having accounts in ADCB, Noor Bank, National Bank of Fujera and Masreq bank. These all accounts were operated by Mr. Sandeep Mistry. He further gave the names of 13 dummy companies and its dummy directors as well as names of dummy directors and name of 06 dummy companies in Hong Kong, stating that all these companies were indirectly owned by Mr. Nirav Modi. The goods imported in one of these companies were sold to other one on paper only. He further stated that these Dubai based companies except Fine Classic FZE, used to import diamond studded jewellery and pearl necklace from India and from Hong Kong cut and polished diamond, gold bars, pearl were imported; that goods imported from India were traded among these companies and then exported to Hong Kong. Before 2015, Plain Gold Jewellery were also melted in Dubai through Emirates Gold and Gold Bars were taken from the refinery and exported back to India. The communication regarding the functioning of these dummy companies were done on "panemail" earlier and then on "cricket mail" only. Broadly, these companies have trade relations with Firestar Group, Solar Exports, Stellar Diamonds and Diamond RUS in India. He further stated that report of Aneja Assurance Pvt. Ltd. is wrong and completely false.



He further stated that after the case broke out, Mr. Mihir Bhansali threatened them and thereafter Mr. Nehal Modi also told them that Dubai was not safe for them so they should shift to Cairo. That since they were already misguided by Mihir Bhansali thus they agreed to shift to Cairo. Nehal Modi also arranged their Flight Tickets, VISA, Accommodation in Cairo etc. on 12th April, 2018 they 12 people (Sandeep Mistry, Jyoti Mistry, Jinesh Shah Ashish Lad, Sonu Mehta, Rushabh Jethwa, Nilesh Mistry, Shridhar Mayekar, Suby George, Vipin Sanith, Netaji Mohite (himself) and Subhash Parab). After reaching Cairo, Nehal Modi arranged their stay in Beverly Hills, Cairo. After lot of pleading, after 2-3 months one by one all the persons were allowed to leave Cairo and return to India. **(Annexure J9)**

10. Statement of **Shri Samir Dalwi, Employee (resigned) of Fancy Creations Company Limited**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.07.2018, wherein he inter alia stated that, In December 2009, he joined Firestar Group (earlier Firestone) as executive. his work was to supervise and quality control. In 2014-15, Anup Panchal asked him, if he was interested to go to Hong Kong. His VISA was on the name of Fancy Creations Company Limited. He was getting HKD 18500 from Fancy Creations Company Limited. As he was in production in India, He was having good hand in repairing the jewellery. In Hong Kong, he was assigned the work of removing the diamond from the jewellery imported from India or Dubai. The jewellery used to be given to them by Bhavik Shah and Ashish Bagaria. He used to remove the diamond above 1.5-2 carat. After removal of diamonds the metal was used to be given to Ting Fung Casting Company for melting and removal of small pieces of diamonds. These diamonds were re-exported to India or Dubai as per the requirement. The Gold received after melting was shipped to Dubai. He gave the names of 06 dummy companies in Hong Kong and the names of their dummy directors. Sandeep Mistry called him and asked him to become the Director in Luk Fung Enterprises Limited. Sandeep told him that there will no problem. The account of this company was opened in DBS bank, Hong Kong. He was not aware whether there is any transaction or not. This company was also the part of the same group. He did not invest a single pie in the said company. **(Annexure J10)**



11. Statement of **Shri Shridhar Prabhakar Mayekar, Director of Unique Diamond and Jewellery FZC**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.07.2018, wherein he inter alia stated that, contract he was offered the post of Administrative Officer in Unique Diamond and jewellery FZC, that he was getting AED 4000 from Unique Diamond and Jewellery as salary. In mid2016, the shares of Unique Diamond and Jewellery FZC were transferred in the name of him from Panera Assets and Ideal Star Consultant (BVI Companies). He was told that, he will be appointed Director in the company. He further stated that as he was not aware about the legal consequences of the same and was in need of Job, therefore, he agreed for the same; He was also made bank signatory for this company. He further gave the names of 13 dummy companies based in Dubai and names of their dummy directors; he gave the details of role of people working in Dubai under Nirav Modi group of companies namely Satyendra Shukla, Kurien Mathews, Sandeep Mistry etc; he further gave the names of 06 Hong Kong based companies who were vendors/customers of Dubai based companies. He stated that all these companies were in reality owned and controlled by Nirav Modi.

He further stated that after the case broke out, Mr. Mihir Bhansali threatened them and thereafter Mr. Nehal Modi also told them that Dubai was not safe for them so they should shift to Cairo. That since they were already misguided by Mihir Bhansali thus they agreed to shift to Cairo. Nehal Modi also arranged their Flight Tickets, VISA, Accommodation in Cairo etc. on 12th April, 2018 they 12 people (Sandeep Mistry, Jyoti Mistry, Jinesh Shah Ashish Lad, Sonu Mehta, Rushabh Jethwa, Nilesh Mistry, Shridhar Mayekar (himself), Suby George, Vipin Sanith, Netaji Mohite and Subhash Parab). After reaching Cairo, Nehal Modi arranged their stay in Beverly Hills, Cairo. After lot of pleading, after 2-3 months one by one all the persons were allowed to leave Cairo and return to India. (Annexure J11)

12. Statement of **Shri Subey George, Executive (Universal Fine Jewellery FZE), Director - DG Brothers FZE**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 09.08.2018, wherein he inter alia stated that, in 2016, he went to Dubai and initially worked in one company named Westcoast. After 6 months he joined the company Universal Fine Jewellery FZE, wherehis maternal uncle Mr. Kurien Mathews was also



working. He further said that he used to prepare purchase orders for Dubai Companies of Nirav Modi mainly for Vista Jewellery, Unique Diamonds and Universal Fine Jewellery. That, initially, till June 2017, he used to prepare Purchase orders of some Hong Kong Based companies i.e. Eternal Diamond Corporation, Fancy Creations Ltd and Brilliant Diamonds Ltd. He further stated that Despite being owner of DG Brothers FZE, he only used to prepare Purchase orders of Universal Fine Jewellery FZE, Vista Jewellery FZE and Unique Diamond and Jewellery FZE on the basis of pre-prepared format and Lists provided by Sandeep Mistry and that in last months of his job, i.e. in Feb, 2018, he received a sum of AED 8000 (approx.) for ownership in DG Brothers FZE and Hamilton precious traders FZE. Similarly, the other persons also received the incentive for being dummy owners like him but he doesn't know the exact amount. He further gave the names of 13 dummy companies based in Dubai and names of their dummy directors as well as names of 06 dummy companies in Hong Kong.; he gave the details of role of people working in Dubai under Nirav Modi group of companies namely Satyendra Shukla, Kurien Mathews, Sandeep Mistry etc; he further gave the names of 06 Hong Kong based companies who were vendors/customers of Dubai based companies. He stated that all these companies were in reality owned and controlled by Nirav Modi.

He further stated that after the case broke out, Mr. Mihir Bhansali threatened them and thereafter Mr. Nehal Modi also told them that Dubai was not safe for them so they should shift to Cairo. That since they were already misguided by Mihir Bhansali thus they agreed to shift to Cairo. Nehal Modi also arranged their Flight Tickets, VISA, Accommodation in Cairo etc. on 12th April, 2018 they 12 people (Sandeep Mistry, Jyoti Mistry, Jinesh Shah Ashish Lad, Sonu Mehta, Rushabh Jethwa, Nilesh Mistry, Shridhar Mayekar, Suby George (himself), Vipin Sanith, Netaji Mohite and Subhash Parab). After reaching Cairo, Nehal Modi arranged their stay in Beverly Hills, Cairo. After lot of pleading, after 2-3 months one by one all the persons were allowed to leave Cairo and return to India. (**Annexure J12**)

13. Statement of **Shri Vipin Sanith, Manager of Fine Classic FZE and Director of Himalayan Traders FZE**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 09.08.2018, wherein he inter alia



stated that, In 2013, he got a job in a Dubai based company namely Tradebook Establishment. In 2016, he resigned from this company and joined as an "accountant" in Fine Classic FZE, that he got this job from the reference of Kurian Mathews, that he joined Fine Classic FZE and after 10-15 days, they appointed him as Manager of Fine Classic FZE. This company belongs to Purvi Modi (Sister of Nirav Modi). At the same time, they appointed him as the Director of Himalayan Traders FZE. He further stated that he used to do the data entry of three Dubai based companies namely World Diamond Distributors FZE, Tri Color Gems FZE and Unity Trading FZE. he used to report Mr. Ashish Lad regarding the data entry of the above mentioned three companies. For HR matters, he used to report Mr. Kurian Mathews and for other matters used to report to Sandeep Mistry.

He further stated that in Fine Classic FZE, he used to submit some remittance request form to the Emirates Islamic Bank and RAK Bank in which accounts of Fine Classic FZE used to be maintained. As relationship manager of Emirates National Bank Dubai used to call him for confirmation of some transactions. These remittances were transferred to the Personnel accounts of Purvi Modi. These accounts were maintained in Bank Of Singapore, Ami Corp bank and Trust, Banayan Tree Bank Mauritius, Dinasour merchant Bank Limited and EFG Zurich Switzerland. That he is not aware of the quantum of funds transferred to these bank accounts; that this money which used to be transferred from Fine Classic FZE, was generated at the cost of huge outstanding in the books of Fine Classic FZE. These huge outstanding was pertaining to the other Dubai Based Companies. He further gave the names of 13 dummy companies based in Dubai and names of their dummy directors as well as names of 06 dummy companies in Hong Kong.

He further stated that after the case broke out, Mr. Mihir Bhansali threatened them and thereafter Mr. Nehal Modi also told them that Dubai was not safe for them so they should shift to Cairo. That since they were already misguided by Mihir Bhansali thus they agreed to shift to Cairo. Nehal Modi also arranged their Flight Tickets, VISA, Accommodation in Cairo etc. on 12th April, 2018 they 12 people (Sandeep Mistry, Jyoti Mistry, Jinesh Shah Ashish Lad, Sonu Mehta, Rushabh Jethwa, Nilesh Mistry, Shridhar Mayekar, Suby George, Vipin Sanith (himself), Netaji Mohite and Subhash Parab). After reaching Cairo, Nehal Modi arranged their stay in



Beverly Hills, Cairo. After lot of pleading, after 2-3 months one by one all the persons were allowed to leave Cairo and return to India. (Annexure J13)

14. Statement of **Shri Pradeep Mhatre, AGM, IT (Firestar International Private Limited)**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 23.08.2018, wherein he inter alia stated that, In 2004, he joined in Jewellery Solutions International Private Limited as IT support Executive. After 3 promotions, he was promoted to AGM (IT) in 2016. His job profile was Infrastructure Planning which included installation and managing of CCTV Cameras, Email servers, Antivirus, Backups, Hardware procurement, Local area network, Routers, Firewalls, Wifi etc. He gave the names of Main email domains used by Firestar Employees namely firestardiamond.com, niravmodi.com, ajaffe.com, niravmodifoundation.org Most of the employees were on firestardiamond.com (approx. 800 users) and Niravmodi.com (approx. 150 users). Ajaffe.com had approx. 50 users and niravmodifoundation.com had 5 users. He further stated that in 2010-11, a new domain server "panemail.com" for emails was used. There were only 25-30 users in this server. This server was a closed user group. That means the emails on the server could not be forwarded to outside email servers. Email from outside servers was also not allowed. This domain was maintained on Local server placed in Dubai office of Firestar. Most of the users on Panemail server were from Dubai and Hong Kong. Only 5 users were from India. He further stated that he used to report to Mihir Bhansali for his work. Mihir Bhansali had asked him to create a closed user group for email transactions. He also said that the group should be secret and no email forwarding/download option was required. Accordingly, he alongwith his colleague Sarfraz Varekar had set up the server on instructions of Mihir Bhansali; that on regular mails, they used to take daily backups. But for this panemail server, they were not allowed to take backup of the emails on the server. He added that on instructions/approval of Mihir Bhansali, he used to create new user IDs on this server.
- He further stated that in Jan 2017, Income Tax department conducted searches of offices of Firestar. They found out the details of the Panemail server and took back up of one user Saurabh Shah. Then suddenly in UAE, the server was shut down by Dubai employees of Firestar. It was not accessible further; that after this on instructions of Mihir Bhansali a new



secret server with modifications was created on a new domain cricketnow.live. it was also a secret closed user group server. It has the feature that the emails were automatically deleted after one week. No forwarding/downloading access was allowed.

In this server, the user IDs were not created in Individual names. Generic names such as user1, DOE1, DOE2, DXB1, DXB2, HK1, HK2 etc for enhanced secrecy. In Dubai, Sandeep Mistry was looking after the server there.

He stated that Nirav Modi had an email id on Panemail. He submitted copy of email with Nirav Modi about forgotten password, also copy of email communication with wwindia.com (Domain service provider for Panemail regarding the Panemail Domain Name and emails of Approvals for Email ID creations on Panemail.com for various users.

He further stated that in Feb 2018, after the case was public, Mihir Bhansali called him and asked a favour- He said that a company is not a human being and it cannot stand in court. So, on behalf of the company (Firestar International Private Limited, Firestar Diamond International Pvt Ltd.) he (Pradeep Mhatre) has to sign certain documents. On instructions Mihir Bhansali he went to Delhi on 24 Feb 2018 and met one advocate Mudit Jain. He had prepared a bunch of approx. 100-150 pages and instructed him to sign., that he signed on all the papers as instructed and also 10-12 pages in High Court also gave his aadhar card and signed in some register in front of some court official. He further added add that he did know anything about the papers or its materials/contents of the papers and he signed the papers only on the instructions of Mihir Bhansali. In a similar way, he was instructed by Mihir Bhansali to sign the documents in Mumbai Court. **(Annexure J14)**

15. Statement of **Shri Sarfraz Varekar, Occupation: DY Manager, IT (Firestar International Private Limited)**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 23.08.2018, wherein he inter alia stated that, in 2004, he joined in Jewellery Solutions International Private Limited as IT support Executive. After 3 promotions, he was promoted to AGM (IT) in 2016. His job profile was Earlier, he used to handle day to day User level calls and email servers. After his promotion, he started looking after SAP (ERP) server, Fire servers, network profiles in Stores, Surveillance (CCTV) etc. He gave the names of Main email



domains used by Firestar Employees namely firestardiamond.com, niravmodi.com, ajaffe.com, niravmodifoundation.org. Most of the employees were on firestardiamond.com (approx. 800 users) and Niravmodi.com (approx. 150 users). Ajaffe.com had approx. 50 users and niravmodifoundation.com had 5 users. He further stated that in 2010-11, a new domain server "panemail.com" for emails was used. There were only 25-30 users in this server. This server was a closed user group. That means the emails on the server could not be forwarded to outside email servers. Email from outside servers was also not allowed. This domain was maintained on Local server placed in Dubai office of Firestar. Most of the users on Panemail server were from Dubai and Hong Kong. Only 5 users were from India. He further stated that he used to report to Mihir Bhansali for his work. Mihir Bhansali had asked him to create a closed user group for email transactions. He also said that the group should be secret and no email forwarding/download option was required. Accordingly he alongwith his colleague Sarfraz Varekar had set up the server on instructions of Mihir Bhansali; that on regular mails, they used to take daily backups. But for this panemail server, they were not allowed to take backup of the emails on the server. He further added that on instructions/approval of Mihir Bhansali, he used to create new user IDs on this server. He further stated that in Jan 2017, Income Tax department conducted searches of offices of Firestar. They found out the details of the Panemail server and took back up of one user Saurabh Shah. Then suddenly in UAE, the server was shut down by Dubai employees of Firestar. It was not accessible further; that after this on instructions of Mihir Bhansali a new secret server with modifications was created on a new domain cricketnow.live. it was also a secret closed user group server. It has the feature that the emails were automatically deleted after one week. No forwarding/downloading access was allowed.

In this server, the user IDs were not created in Individual names. Generic names such as user1, DOE1, DOE2, DXB1, DXB2, HK1, HK2 etc for enhanced secrecy. In Dubai, Sandeep Mistry was looking after the server there. (Annexure J15)

16. Statement of **Shri Sonu Shailesh Mehta, Director, Auragem Company Ltd, Hong Kong.**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 03.07.2018, wherein he inter alia stated that, in 2004,



He stated working as a diamond assorter in Firestone Diamond Pvt. Ltd. Upto 2008. Due to market conditions he was removed in 2008. He further stated that in 2010, he was offered a job in Dubai at Firestone's office, which he took as it was a quite substantial increase in his salary at that time; He joined Dubai in May 2010 and his work profile was - mainly in Operations department in Diamond Business of Firestar and Non-Firestar Companies. which included: Making Invoices of Export, Making Dossier of Import, Export of Diamonds against Invoices, follow up with Customs Clearance Agencies about import and export, Checking of Import Packets, Arranging Boxes according to Invoices and Goods Master File. He stated that they used to handle work for 13 Dubai based dummy companies, giving names of the companies and that in this process, the only work done on diamonds was to shift some packets from one consignment to other consignment according to export packing list. No actual processing on the diamonds were done. He further gave the names of 13 Dubai based dummy companies and names of their dummy directors alongwith the names of 06 Hong Kong based dummy companies and their dummy directors.

He further stated that at the insistence of Mr. Kurian Mathews and Mr. Shyamsunder Wadhwa he was made dummy director in Auragem Company Ltd., Hong Kong in 2013 and that he visited Hong Kong only twice that too for opening accounts in banks and to complete other formalities; that prior to him Nirav Modi and his sister Purvi were owners of this company through a BVI Company called Atlantic Sensor Ltd, BVI.

He further stated that there are some companies in name of Firestar i.e. Firestone Diamond FZE, Firestar Diamond FZE and Firestar Diamond FZCO. Similar to these, there are companies in Hong Kong Firestar Diamond Limited, Hong Kong etc. These are the companies which are officially the Group Companies/Subsidiaries of Firestar Group.

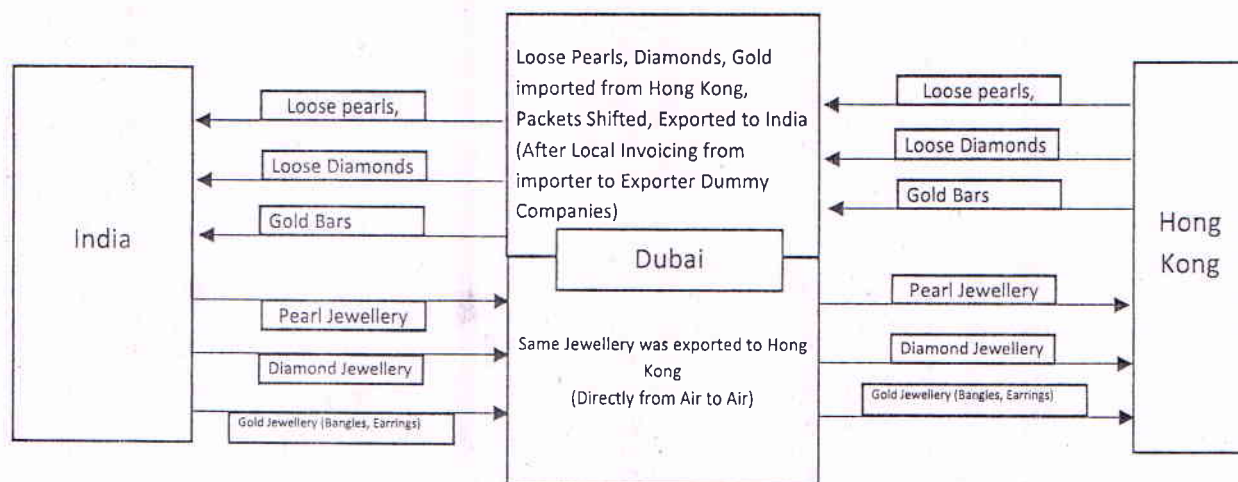
Apart from these there are some companies which are called Non-Firestar Companies but actually owned/controlled by Shri Nirav Modi through his trusted associates like Aditya Nanavati, Kurian Mathews, Sandeep Mistry etc. These are dummy companies created for rotation of diamond, pearl and Jewelry and to increase the turnover of the companies. These companies were having business only with internal companies controlled by Nirav Modi i.e. Firestar Group Companies and non-Firestar Dummy



Companies. There were 13 such Dummy companies in Dubai but the actual business (operations) was done from the premises of World Diamond Distribution FZE where shipments of all the 13 companies were received and the export consignments were prepared. Regarding the Operations team, all the affairs were managed by Sandeep Mistry. Accounting of all these 13 dummy companies were supervised by Kurian Mathews. Earlier, Satyendra Shukla used to manage the operations who was later replaced by Sandeep Mistry.

He stated that all the communication of these Non-Firestar Dummy companies was done on a secret email server named Panemail. There was a facility where the emails could not be forwarded to other email accounts, only intercommunication was allowed. In 2017 after Income Tax Department Raid, the secret email server was shifted to one "Cricket" email server where the email was deleted automatically after 8 days; that All the namesake owners/directors of these companies were earlier working for Firestar in one way or other. The directors were paid AED 6500 per company for namesake ownership.

He stated that In between the said import and export transactions, no actual work was done on any item. All the import consignments were transferred to export dummy companies for export as per the instructions received.



He further stated that the Aneja Assurance report is completely false as he had not invested anything in the company Auragem Company Ltd. He stated that all the Firestar companies and Dubai /Hong Kong based dummy companies were owned and controlled by Nirav Modi.



He further stated that after the case broke out, Mr. Mihir Bhansali threatened them and thereafter Mr. Nehal Modi also told them that Dubai was not safe for them so they should shift to Cairo. That since they were already misguided by Mihir Bhansali thus they agreed to shift to Cairo. Nehal Modi also arranged their Flight Tickets, VISA, Accommodation in Cairo etc. on 12th April, 2018 they 12 people (Sandeep Mistry, Jyoti Mistry, Jinesh Shah Ashish Lad, Sonu Shailesh Mehta (himself), Rushabh Jethwa, Nilesh Mistry, Shridhar Mayekar, Suby George, Vipin Sanith, Netaji Mohite and Subhash Parab). After reaching Cairo, Nehal Modi arranged their stay in Beverly Hills, Cairo. After lot of pleading, after 2-3 months one by one all the persons were allowed to leave Cairo and return to India.

In his further Statement **Shri Sonu Shailesh Mehta, Director, Auragem Company Ltd, Hong Kong.**, which was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 28.07.2018, wherein he inter alia stated that, he along with other persons at Cairo tried two three times to return back to India but as they took their passport on the pretext of some residency permission from the Government of Egypt and they (Mr. Mohammed and Mr. Tamir) told them that without security clearance they cannot go. They used to keep eye on their activities. If they wanted to go outside, their persons used to be with us. That one by one all the persons got the ticket for to India and accordingly he too returned back. Before leaving Cairo, they were asked to sign some papers which stated that these companies belong to the corresponding Directors and not anyway related to Nirav Modi. In the affidavit it was also mentioned that after the initiation of investigation, Agencies may come to Dubai for investigation, so they got scared and came to Cairo voluntarily. This whole process was done before an Egyptian lawyer and videography of this process was done. As, all the dummy director's passports were in their custody and their life was also in danger, so they did not have any choice but to accept whatever was on the said papers. And reluctantly sign those papers That in reality, whatever was mentioned in the said affidavit was false.

Immediately, after that Sonu, Ashish lad, Rushabh Jethwa, Nilesh Mistry and Shreedhar Maykar) shot a video in which they all said that this all was done in pressure and the documents on which their signatures were taken, are false. **(Annexure J16)**



17. Statement of **Shri Shardindu Vajpayee, Managing Director -Amicorp Advisory services Pvt Limited (Mumbai Branch)** was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 06.07.2018, wherein on being shown the copies of emails he inter alia stated that the employees of Amicorp Group had these conversations. The said conversation was started by Shri Radhesh Vijyan who is the Director of Islington Holding Pte Limited in fiduciary capacity; that the Amicorp Group charges fees for the same. The amount of USD 200K mentioned in one of the mails pertains to the fiduciary work done by the office; that Amicorp's Singapore office manages Islington Holdings Pte Limited and BVI office have also received some fees for other entities like Lili Mountain Investment and Novelar International Holding limited as confirmed their Group legal Head Mr. Marteen. As confirmed by Mr. Marteen, Amicorp has incorporated the entity Novelar International Holding limited but not managed by Amicorp in fiduciary capacity. He further confirmed that the Amicorp India coordinated the investment of USD 45 Million from Amicorp Singapore to Firestar India on behalf of its Singapore office. The source of this USD 45 Million was Novelar International Holding Limited. As mentioned in the said Emails, the amount of USD 425000.00 was also transferred from Purvi Modi's account to Islington Holdings Pte Ltd. The swift message mentioned in the Emails indicates that the said loan was transferred from EFG bank account to the account of Islington Holdings Pte Limited maintained with United Overseas Bank Singapore. **(Annexure J17)**

18. Statement of **Shri Ravi Shanker Gupta**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 10.09.2018, wherein he inter alia stated that, As per his information following FDI were received in FIPL.

Sr No	Calender Year	Amount (Approx) Rs in Crores	Received From
1	2013	162	Jade Bridge Holdings, Cyprus
2	2014	120	Forcom Worldwide investments Limited, Mauritius
3	2017	270	Islington International Holdings Pte Limited
4	2017	440	Nirav Modi



On being shown the copies of emails he said that he along with the other persons mentioned above was part of this conversation. The conversations were regarding the propose equity infusion by prospective investors Namely Alecust Global Holdings Limited, Mauritius and Progruss Investment Limited, Cyprus the exchange of information in respect of due diligence for the proposed investment. Alecust Global Holdings Limited, Mauritius and Progruss Investment Limited, Cyprus were supposed to invest USD 30 Million and USD 20 Million respectively. As per the above conversations, these companies were supposed to receive funds for the investment from Lambasa Global Opportunity Fund BV and Universal Ventures Fund SCC respectively. As per the conversations both of these companies had no relation with the Firestar and its promoters. However, Alecust Global Holdings Limited, Mauritius was not incorporated at that time. Both of these investments were coordinated by Amicorp (Mauritius) Limited. He further stated that Nirav Modi introduced him to the team of Amergeris Wealth Management (Barbados) Limited for providing documents for due diligence. Some additional equity infusion to the tune of USD 25 Million was also proposed to be infused by Isligton International Holdings Pte Limited. However, all these FDI proposals could not be materialized due to change of plan of Nirav Modi to infuse the fund himself.

(Annexure J18)

19. Statement of **Shri Shyam Sunder Wadhwa, Occupation: Service** was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 17.08.2018, wherein he inter alia stated that "Pane Mail" and "Cricket" were the close circuit mail of Nirav Modi / Firestar Group, he was member of "Panemail" but refused to be part of "cricket". IT people of Firestar Group approached him on the instructions of Nirav Modi and his account on this mail was opened. This Email system was used for the communications relating to the dummy companies of Nirav Modi and its server was in Dubai. When this system was caught during the Income Tax, a new system "cricket" was established. On being shown the email sent by him to Divyesh Gandhi regarding incorporation of Sunshine Gems limited in Hong Kong, he agreed and said that this company was incorporated by Aditya Nanawati on the instructions of Nirav Modi. On Nirav Modi's instructions he contacted Ashish Lad and Ashish Lad went to Hong Kong from Dubai and got the process completed with the help of Divesh Gandhi. He further stated that, in the same manner, he got signature of Sonu Shailesh Mehta



and sent the documents to Hong Kong office for further submission to the consultants. And also got the signature of Divyesh Gandhi and Kartik Doshi on the directorship enrolment documents. Incorporation work of Dubai based dummy companies were done by Mihir Bhansali with the help of Satyendra Shukla and Kurian Mathews. He further stated that around 2013-14, Nirav Modi called him and instructed to arrange for incorporating a company named Fine Classic in Dubai under ownership of Purvi Modi. On Nirav Modi's instructions to find trusted people, he recommended Chetan Chauhan, Suresh Naidu and Rushabh Jethwa to Nirav Modi and these people were sent to Dubai. Later on, they were appointed as Directors/owners.

He further stated that Firestar Holdings Limited, HK was the holding company of all the international subsidiaries of Firestar Group. To meet the fund requirements of overseas subsidiaries, there was requirement of funds in Firestar Holdings Limited, HK. Nirav Modi and his consultant Mr. Manish Modi decided to bring the funds from Purvi's company to Firestar Holdings Limited, HK in form of preference share. He further gave the details of how funds were being transferred from Fine Classic FZE to other company/person.

He further gave the details about the FCNR deposit of Purvi Modi maintained in Syndicate Bank and its source and FCNR deposit of Neeshal Modi in Bank of India. He also gave the details of the funds transfer from India to other Countries **elaborating that** in 2017, around USD 105 Million was invested by FIPL into Firestar Holdings Limited as Equity share capital. The objective was to make Firestar Holdings Limited as 100% subsidiary of FIPL. **(Annexure J19)**

20. Statement of **Shri Pushpa Singh, Assistant Manager, Firestar Diamond, BVBA** was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 01.06.2018, wherein he inter alia stated that he was handling netbanking for Firestar Diamond, BVBA from Mumbai back office; that he had never visited Belgium; that he used to get a list of receivables and payables with due dates containing details of purchases and sales invoices. That he used to get approval from Neeshal Modi for payment against outstanding purchase invoice. He stated that Mr. Neeshal Modi was Director in Firestar Diamond BVBA, Firestar Diamond LLC, Armenia



and Firestar Diamond Pty Ltd, South Africa and an authorized signatory in Belgium Company M/s. Nirav Modi Jewels. **(Annexure J20)**

21. Statement of **Shri Avneesh Nepalia, Deputy General Manager, Punjab National Bank (PNB)** was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 03.10.2018, wherein he inter alia on being asked stated that PNB came to know through media reports that Mr. Mihir Bhansali related three USA based companies namely Firestar Diamond, A. Jaffe Inc & Fantasy Inc had filed for bankruptcy in the US courts.; that the bank appointed advocate for representing the matter and that PNB is aggressively contesting all bankruptcy proceedings in the US Courts; Report of Examiner has been submitted on 25.08.2018 based on detailed forensic analysis of available financial records, interview of witnesses, email reviews and that the Examiner has determined that Firestar Diamond, A. Jaffe Inc & Fantasy Inc were directly involved in the transactions related to the fraudulent circumstances; that the proof of claim will be filed by PNB. He further submitted the copy of the Examiner's Report. He further stated that PNB Hong Kong has filed a Recovery suit against Firestar Diamond Ltd. **(Annexure J21)**

22. Statement of **Shri Anees Fazalbhoy**, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 06.09.2018, wherein he inter alia stated that he along with his wife owned a Flat 46-B, Diamond Head, Bhulabhai Desai Road. In 2016, Ms. Purvi Modi rented that flat on a substantial deposit and low monthly rent., that she also contributed for renovation. After completion of one year in April 2017, Ms. Purvi Modi approached for outright purchase of the said Flat; that on her behalf Mr. Neeshal Modi signed the agreement; that Me. Neeshal Modi had a Power of Attorney certified by Indian consulate of Hong Kong. The final sale price of the flat was Rs.19.5 crore. **(Annexure J22)**

23. Statement of **Shri Rushabh J. Jethwa**, Owner, Empire Gems FZE was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 14.09.2018, wherein he inter alia stated that on 01.02.2011, he joined Empire Gems FZE in Dubai as an accountant, being given to understand that the company is Firestar Group company; that he was handling accounting work of Diaems FZE, Pacific Diamonds FZE and Empire Gems FZE and afterwards also Firestar Diamond FZE, Hamilton Precious



Traders LTD FZCO and DG Brothers FZE. He further gave the details of Dubai based other companies along with the names of their owner/Managers; that after few years they started severing direct or indirect ties with Nirav Modi and projecting the companies as independent companies but in reality all the companies were dummy companies directly under control of Nirav Modi; that special server was placed and a closed group of users within the company were having access to the shadow email server.; that the Aneja Assurance report was not true and that he was not a second generation diamond businessman.

He further stated that from Hamilton Precious Traders some amount was paid to Lily mountain Investments as load; that more than 150 million USD were transferred to Mr. Deepak Modi from Pacific Diamonds FZE; USD 9.43million were transferred to Rosy Blue HK from a Dubai company; that Mr. Maiank Mehta received USD 30 million from Pacific Diamonds FZE.

He further stated that after the case broke out, Mr. Mihir Bhansali threatened them and thereafter Mr. Nehal Modi also told them that Dubai was not safe for them so they should shift to Cairo. That since they were already misguided by Mihir Bhansali thus they agreed to shift to Cairo. Nehal Modi also arranged their Flight Tickets, VISA, Accommodation in Cairo etc. on 12th April, 2018 they 12 people (Sandeep Mistry, Jyoti Mistry, Jinesh Shah Ashish Lad, Sonu Shailesh Mehta, Rushabh Jethwa (himself), Nilesh Mistry, Shridhar Mayekar, Suby George, Vipin Sanith, Netaji Mohite and Subhash Parab). After reaching Cairo, Nehal Modi arranged their stay in Beverly Hills, Cairo. After lot of pleading, after 2-3 months one by one all the persons were allowed to leave Cairo and return to India. He further stated that he was promised Bonus of 6500 Dirham per year for being dummy owners of the companies and apart from this amount he had no control over operations of Empire Gems FZE. **(Annexure J23)**

24. Statement of **Shri Ramesh M. Assar**, CA, Director in some of Nirav Modi companies was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.09.2018, wherein he inter alia stated that M/s. Ithaca Limited was incorporated in Hong Kong as a part of business plan as Nirav Modi wanted to obtain permanent investment VISA of Hong Kong. The company was formed in the name of Purvi Modi and its paid-up capital of 1 million HKD was arranged by Nirav Modi. **(Annexure J24)**



25. Statement of **Smt. Kavita R. Mankikar**, Executive Assistant to Chairman of Firestar Group (Nirav Modi) was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 18.04.2018, at Byculla Central Jail, Mumbai wherein she inter alia stated that She joined M/s. Diamonds R US as an Executive Assistant to Mr. Nirav Modi in 1997; that at the behest of Mr. Nirav Modi she became authorized signatory in the same company in 2003; that she was unaware that she is a director in M/s. Radashir Jewellery or any other company; that despite being authorized signatory in Solar Exports, Stellar Diamonds and Diamonds R US she did not know any information about business of these companies and the companies were actually controlled and operated by Nirav Modi.(Annexure J25)
26. Statement of **Shri Kurian Mathews**, General Manager, Firestar Diamond FZE was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 10.01.2019, wherein he inter alia stated that on being shown the emails on 'panemail' between himself and Mihir Bhansali, Saju Paulose, Ashish Lad, Shyam Sunder Wadhwa etc., he said that the emails were about formation of certain dummy companies namely Himalayan Traders FZE, appointing dummy Directors, funds for increase in share capital in dummy companies etc. He endorsed all the emails. (Annexure J26)
27. Statement of **Shri Jubin Jose Varghese**, Director, Universal Fine Jewellery FZE, was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 11.01.2019, wherein he inter alia stated that in March 2011, he was appointed by Kurien Mathews and Shyam Sunder Wadhwa as Sales Executive in Diagems FZC; that initially he was working in Accounts deptt of Dubai companies namely Universal Fine Jewelery FZE, Empire Gems FZE abd Hong Kong companies Brilliant Diamonds Ltd and Eternal Diamond Corporation Ltd. And then as an Assistant Admin. He further stated that in 2012, Mr. Satyendra Shukla told him that he is the Director of Universal fine Jewelery from now, that his job profile will remain same as earlier, that he will get AED 6500 annually for compensation of namesake directorship and that he was only namesake director. Shri Jubin Jose further gave the names of Dubai based Nirav Modi companies alongwith names of its owner/directors. He gave the details of Nirav Modi's properties and cars in Dubai; that after the scam was broken, there was rush to close all the entities and bank accounts and that their laptops,



mobiles and other documents related to the companies were destroyed by Nehal Modi in Dubai. **(Annexure J27)**

28. Statement of **Shri Saju Poullose Parokaran**, General Manager, Firestar Diamond FZE was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 18.04.2018, wherein he inter alia had stated that he had joined Firestar Diamond International Ltd. In 2007 as Accounts Manager and worked in Sachin, Surat; that there he heard the names of firms Diamonds R US, Solar Exports and Stellar Diamonds that these are Firestar group companies; that in Decemeber 2015, Mihir Bhansali asked him to meet Nirav Modi who had some work. Nirav Modi told him to find 2 new partners in each of these three firms i.e. Diamonds R US, Solar Exports and Stellar Diamonds and to get new partnership deeds and to get it signed from these partners and that Neeshal Modi was a person to consult for this. That Mihir Bhansali told Saju that Hemant Bhatt will give him Rs.3,00,000/- in cash for capital infusion. He further stated that in 2012 he started consolidation of the accounts on instructions of Nirav Modi of all Firestar group companies; he gave the names of 46 group companies based in India as well as abroad; he further gave the details of Consolidation of accounts as well as meaning of "Turn Over business" giving the list of 19 dummy companies based in UAE and Hong Kong. He also gave details of share capital infusions in Fine Classic FZE, Islington Internatinal Pte Ltd, Lily Mountain Investment; about investments in Twin Square International Ltd/Link High International/BBB.

In his statement dated 23.01.2019, Shri Saju Poullose inter alia stated that on being shown the emails on 'panemail' between himself and Mihir Bhansali, Sandeep Mistry, Ashish Lad, Shyam Sunder Wadhwa, Neeshal Modi, Hemant Bhatt etc., he said that the emails were about removal of Neeshal Modi's name from Digipass (device for authorization) issued by ADCB Bank, formation and share transfer of Unity Trading FZE, formation of certain dummy companies namely Himalayan Traders FZE. He endorsed all the abovesaid emails. **(Annexure J28)**

29. Statement of **Shri Himanshu Trivedi**, General Manager, Firestar Diamond FZE was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 24.01.2019, wherein he inter alia stated that on being shown the emails on 'panemail' between himself and Mihir Bhansali,



Sandeep Mistry, Ashish Lad, Shyam Sunder Wadhwa, Neeshal Modi, Hemant Bhatt etc., about formation of certain dummy companies namely Himalayan Traders FZE, import/export policy for all locations, sealing of the consignments. He endorsed all the emails. **(Annexure J29)**

30. Mr. Li Tung Min has stated in his email dated 23.07.2018, addressed to Mr. Kapil Raj, Deputy Director – Enforcement Directorate that Sino Traders Limited is beneficially owned by Mr. Nirav Modi; that in the year 2014 Mr. Aditya Nanavati had asked him to become sole shareholder and Director in the said company in place of Mr. Kartik Doshi; that the shares held in the name of Mr. Kartik Doshi were transferred on his name and that he had not invested any money for purchase of those shares; that he was only a namesake director and he doesn't know about the working of Sino Traders Limited. **(Annexure J30)**

31. Statement of **Ms. Neha Mukesh Shinde, Partner in Magus Consultancy** was recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 13.02.2019, wherein she inter alia stated that Magus Consultancy deals in following areas such as Incorporation of companies locally & overseas, Book keeping, Data entry, Nominee Services; that around 2010, Mr. Mihir Bhansali met him & Mr. C D Shah and asked that he needs a BVI structure for formation of companies. Mr. Mihir told them that he needs holding companies for Neeshal Modi & Ms. Purvi Modi both Belgium Nationals. He asked them that in second layer, there are requirement of 10 BVI companies. Mr. Mihir Bhansali asked them to provide a nominee shareholder/ director for both the above holding companies. Accordingly, two holding companies namely Madison Capital Private limited & Moore Private Investments Limited jointly represented by Ms. Purvi Modi & Mr. Neeshal Modi were formed. These companies were formed by KSI Shah & Associates and Mr. C D Shah was made Nominee Shareholder in both these companies. The documentation work for the formation of these two companies were completed by Mr. Mihir Bhansali on behalf of Mr. Neeshal & Ms. Purvi. In registered office of BVI, they declared Mr. Neeshal Modi & Ms. Purvi Modi as the UBOs (Ultimate Beneficial Owner) for their all companies as informed by Mr. Mihir Bhansali. Trident Trust company BVI Limited was the registered agent for these companies.

She submitted the documents such as Communication with Trident Trust BVI Limited, Copy of passports of Neeshal Modi & Purvi Modi, Certificate



of Incorporation, Memorandum of Association & Articles of Association in respect of Madison Capital Private limited & Moore Private Investments Limited under her dated signature.

In the second layer, as per the requirements of Mr. Mihir Bhansali 10 BVI companies were formed. The details of these companies are as under:-

1. Global Investing Group Limited
2. Xclusive Consultants limited
3. Ashmoore Developments Limited
4. Beacon Horizon Investments Limited
5. Century Group Global Invest Limited
6. Pushpin Trading Limited
7. Royce Group Private Limited
8. Integrated Investing Ltd
9. Panera assets Inc
10. Ideal star Consultants Ltd

In all the above companies, the shareholders were Madison Capital Private limited & Moore Private Investments Limited having 50% shares each. The director in these companies was Moore Private Investments Limited. In this second layer also, the UBOs (Ultimate Beneficial Owner) were declared as Mr. Neeshal Modi & Ms. Purvi Modi to the BVI authorities. The names of all these BVI companies were decided by Mihir Bhansali only.

As evident from the chart, in the third layer 8 companies were formed out of which 6 were FZE (free Zone Establishment with single company shareholder) and 2 were FZC (Free zone Company with two companies as shareholders). In this third layer, the employees of Firestar Group were appointed as manager/legal representative of these companies. Later on, around in 2012, they (Mihir & team) have changed the structure from BVI to individual. She further submitted the documents in respect of these third layer companies namely Vista Jewellery FZE, Universal fine Jewellery FZE, Pacific Diamond FZE, World Diamond Distribution FZE, Empire Gems FZE, TricolorGems FZE, Diagems FZC, Unique Diamond & Jewellery FZC. (**Annexure – J31**).

These 31 persons barring Shri Shyamsunder Wadhwa have not been associated with the offence of Money Laundering. They have worked as



employees and were unaware about the larger picture fraud, deceit, siphoning and Money Laundering. They have also co-operated with investigation and therefore they are being made witness apropos their statements annexed as

7. ATTACHMENT OF PROPERTIES

7.1 During the course of investigation, based on the evidences gathered in the form of bank statements, property documents and statements recorded of the concerned persons under Section 50 [2] and [3] of PMLA, 2002 and the money trail derived during the course of investigation, properties worth Market value of Rs.1873.08 Crore [approx.] in the form of movable and immovable properties, were provisionally attached, under Section 5 of PMLA, 2002 vide PAO Nos. 02/2018 dated 24.02.2018, 06/2018 dated 21.05.2018, 07/2018 dated 30.05.2018, 12/2018 dated 06.09.2018, 13/2018 dated 11.09.2018, 14/2018 dated 17.09.2018, 15/2018 dated 17.09.2018, 16/2018 dated 18.09.2018, 17/2018 dated 05.10.2018, 20/2018 dated 24.10.2018, 22/2018 dated 02.11.2018, and 05/2019 dated 25.02.2019. Copies of the said PAOs are enclosed in relied upon documents **Annexure K**.

7.2 In compliance of the mandate of Section 5 (5) of the PMLA, 2002, Original Complaint Nos. 909/2018, 985/18, 988/18, 1023/18, 1024/18, 1030/18, 1031/18, 1032/18, 1050/18, 1057/18 and 1058/18 in respect of the abovementioned Provisional Attachment Orders were filed before the Ld. Adjudicating Authority under PMLA, 2002. Out of these Original Complaints, No. 909/2018, 985/2018 and 988/2018 have been confirmed by the Ld. Adjudicating Authority. The remaining Original Complaints are presently pending for adjudication and confirmation in terms of Section 8 of the Act. The confirmation orders of the Adjudicating Authority are enclosed as "**Annexure-L**".

7.3. The overview of the 12 PAOs and Original Complaints is given in the table below:

PAO No. & Date	OC No. & Date	Amount	Curr ency	Property	Exact Amount (INR)
PAO 02 of 2018 dated 24.02.2018	909/2018 dated 23.03.2018	523.723Crore	INR	21 Properties	523,72,37,000



06 of 2018 dated 21.05.2018	985/2018 dated 18.06.2018	167.862 Crore	INR	4 porperties 106 Bank accounts Shares/Invest ments 11 Vehicles	167,86,20,000
7 of 2018 dated 30.05.2018	988/2018 dated 25.06.2018	52.8 Crore	INR	One Wind Mill	52,80,00,000
PAO 12/2018 dated 06.09.2018	1023/2018 dated 03.10.2018	6250000	GBP	London Properties	58,15,56,250
PAO 13/2018 dated 11.09.2018	1024/2018 dated 03.10.2018	19.5 Crore	INR	Purvi Flat, Mumbai	19,50,00,000
PAO 14/2018 dated 17.09.2018	1032/2018 dated 12.10.2018	6122017.13	USD	Bank Account in Singapore	44,41,21,732.69
PAO 15/2018 dated 17.09.2018	1031/2018 dated 12.10.2018	29,995,000	USD	USA Flats Central Park	217,34,37,700
PAO 16/2018 dated 18.09.2018	1030/2018 dated 12.10.2018	37,056,169.00	CHF	Bank Account Switzerland	278,36,59,415.28
PAO 17 of 2018 dated 05.10.2018	1050/2018 dated 20.12.2018	7,100,000	USD	Flat in USA (Mihir Bhansali)	51,00,00,000
PAO 20 of 2018 dated 24.10.2018	1057/2018 dated 14.01.2019	34,974,031.32	USD	Hong Kong Consignment	255,31,04,286
PAO 22 of 2018 dated 02.11.2018	1058/2018 dated 11.01.2019	7,795,076.82	USD	Dubai Properties of Nirav Modi and Firestar Diamond FZE	56,90,40,608
PAO 05 of 2019 Dated 25.02.2019	Not yet filed	147,72,86,651.00	INR	Valuables, movable and immoveable properties of Nirav Modi, FIPL, FDIPL, Radashir Jewellery and Rhythm House Pvt Ltd	147,72,86,651.00
Total					1873,10,64,269.0 0

8. ESTIMATION OF THE PROPERTIES INVOLVED IN MONEY LAUNDERING OR PROCEEDS OF CRIME:-

The three Indian entities namely 'Diamond R US', 'Solar Exports' and 'Stellar Diamond' had initially obtained 43 LOUs amounting to USD 116 million from



PNB in the year 2011 by cheating and defrauding the bank, in criminal conspiracy with some of its officials and surpassing the Bank's CBS, thereby avoiding detection. The said LOUs' amounts were utilized for making payment to their alleged overseas suppliers/companies. In the following years also i.e. 2012, 2013, 2014, 2015, 2016 & 2017 the same *modus operandi* was adopted by the said three entities and thereby, funds on the basis of LOUs obtained fraudulently were siphoned off through their alleged overseas suppliers. The total estimated proceeds of crime from the LOUs issued in 2017, is to the tune of **Rs. 6498.20 Crore**.

8.2. It can be seen that new LOUs were issued and partly used to set off the earlier ones which became due. The said pattern continued till 2017, thereby steadily increasing the value of outstanding amounts payable, as obligatory on the maturity of LoUs, to huge magnitude. The LOUs issued in 2017, became due in January 2018, and the entire scam came to the fore since the other officials at PNB refused to issue new LOUs without following the due procedure and verification, resulting in the accused firms defaulting in the repayment per the matured LoUs to the Bank. It is significant to note that during the initial period, the LOUs were issued for smaller duration i.e. for 3 months, however, it was later changed to 360 days, apparently in a bid to gain maximum benefit out of these dealings, so that the monies can be put to use for longer periods of time, thereby giving utmost returns. It is also seen that the repayments towards LOUs were made either by diverting another LOU's money or by creating more and more LOUs, whereby increasing the exposure. The default in repayment towards LOUs happened in 2018 as date of maturity of the said LOUs was 360 days and the criminal act of the accused persons/companies came to light when the PNB refused from issuing fresh LOUs without following the prescribed banking norms and procedure. At the relevant time, the total amount of open/unpaid LOUs (fraudulent) was USD 1015.35 million (Rs. 6498.20 crore). Further, an amount of USD 2.12 million were also obtained by the said entities in their current accounts. The said amounts were claimed to have been utilized during the period from Feb, 2017 to May, 2017 for settling earlier credit obligations (of the buyers) by the Nirav Modi Group firms and also for paying overseas firms alleged to be the suppliers of the said three entities/firms. The whole *modus operandi* was devised by the accused persons/companies with the criminal intent to enjoy credit facilities without providing proper collateral and with the nominal interest payable. The accused induced the bank to pay them monies under the garb of payment to other



suppliers whereas the money was actually routing back to the accused persons for their own wrongful gain. The said monies, being the proceeds of crime, was further laundered by them in the manner and mode as stated in the preceding paras.

8.3. The facts as submitted above clearly establish that all these funds thus acquired by the accused were used for 7 years at a nominal interest and without any collateral as per the prescribed requirements. The funds so acquired without any liability and security and used for such a long period with a pattern of round tripping are the "Proceeds of crime" in terms of Section 2 (1) (u) of PMLA, 2002 having being generated from the criminal activity related to the predicate/scheduled offence in this case.

8.4. Firestar Diamond International P. Ltd. and Firestar International Pvt. Ltd. had availed credit facilities/loan arrangements from various banks which had formed two consortiums. USD 2.12 million were obtained by the firms from various banks in their current accounts as loans. The said amounts were utilized during the period from Feb, 2017 to May, 2017 for settling earlier credit obligations of the buyers by the Nirav Modi Group firms and also for paying overseas firms allegedly the suppliers of the said three entities/firms. The whole *modus operandi* of issuance of LOUs through fraud was done with the criminal intent of illegally enjoying the credit facility without providing proper collateral and with nominal interest payable and rotating the money for their own end use, by circumventing the established banking procedures and checks. It is evident that the accused persons had knowledge of the criminal activity and consequent generation of the proceeds of crime. The accused had full knowledge that they were dealing with proceeds of crime and intentionally and deliberately became a participant in the laundering of those proceeds through various avenues. The end beneficiaries of these transactions came to be Shri. Nirav Modi and his guilty associates.

9. ROLE PLAYED BY THE ACCUSED.

9.1. It has clearly emerged from the facts that **Mr. Nirav Modi**, is the Partner of Diamond R US, Solar Exports & Stellar Diamond, the firms which defrauded the Punjab National Bank, a public sector bank. He was the controlling authority and the decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with the other accused to cheat



the bank in the manner explained hereinabove. The proceeds of crime or property involved in money laundering so generated through the said criminal activity have been siphoned off and laundered by him through various entities to other overseas companies and countries for concealment, layering and integration into main financial system through acquisition of properties or through investment in financial assets. He is the mastermind behind this behemoth scam, designing the entire scheme of fraud and the movement of the monies under the garb of export/import of diamonds & other jewelry. He has malafidely rotated the money received on the basis of fraudulent LoUs, to his own companies for further use and concealment, through a circuitous web of transactions. Through his calculated plan, he not only rotated the money but also the jewellery and precious stones, while inflating their value in order to justify the transactions made by him. He has actively concealed his role and involvement in the scam by conducting the business through dummy directors and his other employees, to hoodwink the law enforcement authorities. He has also made efforts to obfuscate the proceeds of crime and its end use. Upon his instructions, the witnesses were intimidated and were sent to Cairo thereby prohibiting them to tender the evidences before Investigating agencies in India. Sh. Nirav Modi, having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. He, therefore, was an active participant in the generation of proceeds of crime and laundering of the said proceeds as defined under Section 3 of PMLA, 2002.

9.2 Shri. Neeshal Deepak Modi was the partner of Diamonds R US, Solar Exports & Stellar Diamond, the firms which defrauded the Punjab national Bank, a publicsector bank. He actively participated in appointing dummy partners on these three firms in January 2016. He was signatory and beneficiary through complex BVI structures, in some of Dubai based dummy companies during 2011-2013. He was also director of the company Firestar Diamond BVBA; based in Belgium, (which has been declared bankrupt by a commercial court in Antwerp) in which huge sums were transferred from Hong Kong based companies. Even after the registration of case and breaking of this scam, he dealt with proceeds of crime, transferred Diamonds from Dubai to Hong Kong. The proceeds of crime generated through the said act in all likelihood have been siphoned off and laundered to various overseas companies and countries for concealment, layering and integration into main



financial system through acquisition of properties or through investment in financial assets. He, therefore was an active participant in the generation of POC and the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

9.3 Shri Nehal Deepak Modi, has knowingly and intentionally participated in assisting the activity of concealment of Money Laundering, destroying the evidence. He was personally overseeing that all the accounts, records were eliminated and was influencing the employees and participated to annihilate the evidences including digital evidences like mobiles and server. He also dealt with proceeds of crime by taking 50 kg. Gold from Firestar Diamond FZE, Dubai and 150 boxes of pearls from Hong Kong and cash of AED 3.5 Million Dubai after the initiation of investigation in this fraud. He intimidated the witnesses and send them to Cairo thereby prohibiting them to tender the evidences before Investigating agencies in India. He forced them to sign some false papers in Cairo and in one case, he offered a witness (Ashish Mohanbhai Lad) INR 2 Million in lieu of tendering false testimony before the judicial authorities of Europe. Thus, he assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

9.4 Ms. Purvi Maiank Mehta alias (Ms. Purvi Deepak Modi) is also owner/director of the company Fine Classic FZE and Lily Mountain Investment in which huge sums were diverted from Nirav Modi Dubai based group companies. She was also a beneficial owner of Novelar Investments Pte Ltd, Singapore and Islington International Holdings Pte Limited, Singapore. She was also a settler of the Trust namely 'The Ithaca Trust'. The proceeds of crime generated through fraudulent acts, has been siphoned off and laundered to various overseas companies and countries for concealment, layering and integration into main financial system through acquisition of properties or through investment in financial assets and layering through various accounts in different countries, with the active partaking by Ms. Purvi Modi. She, therefore was an active participant in the generation of POC and the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

9.5. Shri Maiank Mehta, has knowingly indulged himself in layering the funds diverted to Ms. Purvi Mehta (Modi), through various overseas companies



such as Pacific Diamonds FZE, Fine Classic etc. He received USD 30 Million from Pacific Diamonds FZE (A direct recipient of tainted money). He further layered this money by transferring it to his wife Ms. Purvi Maiank Mehta which was in turn invested into Firestar International Private Limited in gib of FDI from his wife's company M/s Islington International Holdings Ltd. He also gave instructions to Wadhwa to transfer the money on Purvi Modi's behalf. He actively diverted a part of proceeds of crime amounting to USD 9.42 Million to Rosy Blue Hong Kong in which he was the beneficial owner. Shri Maiank Mehta knowingly assisted in the process or activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

- 9.6. **Ms. Ami Nirav Modi** beneficially owns two properties totaling to US 29.9 Million in Central Park South, United States of America which were purchased from the illicit funds generated from Fraudulent LoUs. And also helped in layering USD 26 Million by allowing it to route it to Purvi Modi for purchase of the said flats. Therefore, she has knowingly indulged herself in layering the funds diverted to Ms. Purvi Mehta (Modi) and further investing the proceeds of crime in properties in foreign locations, knowingly assisted in the process or activity of Money Laundering, as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.
- 9.7. **Shri Deepak Kumar Modi** received USD 153.84 Million from Pacific Diamonds FZE, a direct beneficiary of Proceeds of crime. Also, he was the sole owner of the company Chang Jiang SA, Singapore which received USD 21.74 Million from Pacific Diamonds FZE. He made the repayment of loan from the amounts of fraudulently acquired LOU funds. He is a beneficiary of Link High International and Twin Square investments, two USA companies, which routed USD 42.8 Million to Bailey Banks & Biddle, USA from Nirav Modi group dummy companies in Dubai and Hong Kong. Thus, he knowingly assisted the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.
- 9.8. **Shri Gokulnath Shetty**, the then Deputy Manager, Punjab National Bank was a key conspirator alongwith Mr. Nirav Modi in defrauding the bank with fraudulent transactions. He was instrumental in sanctioning LOUs totaling to USD 1015.35 Million) to Mr. Nirav Modi owned three firms without any collateral, without charging proportionate commission and without making relevant entries into the SWIFT system, which has resulted in the



mammoth losses to the PNB. He has knowingly and intentionally participated in assisting the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.

- 9.9. **Shri Mihir Bhansali**, has been a close confidante of Mr. Nirav Modi and instrumental in creating dummy companies in Dubai and appointing dummy directors and making relevant accounting procedures. He actually and actively participated in layering and laundering the fraudulently acquired funds with Mr. Nirav Modi. Mr. Mihir Bhansali also directly took 50 KG Gold having value around USD 2.2 Million and cash to the tune of 2,50,000 dirham from Dubai based companies of Nirav Modi. He was Director in Twin Field and Bailey Banks and Biddle which received funds to the tune of USD 48.1 Million. He was in-charge of all the dummy transactions and fund flow all over the world for Nirav Modi group of companies. He has knowingly and intentionally participated in assisting in layering the illicit money so ill-gotten and involved in process or the overall activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.
- 9.10. **Shri Aditya Nanavati**, has been actually involved with Mr. Nirav Modi and used to manage business transactions of all 6 dummy companies based in Hong Kong and also, he was in-charge of Hong Kong business of Firestar group. He was also one of the main approvers and facilitators of fund flow of dummy companies. He has knowingly and intentionally participated in assisting in the process or activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.
- 9.11. **Solar Exports** is a firm created by Mr. Nirav Modi made only with the intent of laundering of the proceeds of crime. Solar Exports received proceeds of crime through fraudulent LOUs to the tune of Rs. 2152.88 crore and thereafter diverted the same to various other dummy companies from Nirav Modi/Firestar group, of which Sh. Nirav Modi was the direct beneficiary. Hence the firm has intentionally and deliberately acted as a special vehicle for laundering of illicit money and was a participant in the process or activity of money laundering as defined under Section 3 of the PMLA, 2002.
- 9.12. **Stellar Diamond**, is a firm, created only with the intent of laundering of the proceeds of crime. Stellar Diamond received proceeds of crime through fraudulent LOUs to the tune of Rs. 2134.71 crore and thereafter diverted the



same to various other dummy companies from Nirav modi/Firestar group, of which Shri. Nirav Modi was the direct beneficiary. Hence the firm has intentionally and deliberately acted as a special vehicle for laundering of proceeds or illicit money and was knowingly a participant in the process or activity of money laundering as defined under Section 3 of the PMLA, 2002.

9.13. Diamonds R US, is a firm, created only with the intent of laundering of the proceeds of crime. Stellar Diamond received proceeds of crime through fraudulent LOUs to the tune of Rs. 2210.61 crore and thereafter diverted the same to various other dummy companies from Nirav modi/Firestar group, of which Shri. Nirav Modi was the direct beneficiary. Hence the firm has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

9.14. Firestar International Pvt. Ltd., had received 171.11 Million from Hong Kong and Dubai Based recipients of illicit funds. It had also availed credit facilities/loan arrangements from various banks which had formed two consortiums. USD 2.12 million were obtained by the Firestar International Pvt. Ltd. and Firestar Diamond International Pvt. Ltd., from various banks in their current accounts as loans. The said amounts were utilized during the period from Feb, 2017 to May, 2017 for settling earlier credit obligations of the buyers by the Nirav Modi Group firms and also for paying overseas firms allegedly the suppliers of the said three entities/firms. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds/illicit money and was knowingly a participant in the offence of money laundering as defined under Section 3 of the PMLA, 2002.

9.15. Neeshal Merchandising Pvt. Ltd. had availed credit facilities/loan arrangements from various banks which had formed two consortiums. USD 2.12 million were obtained by the Firestar International Pvt. Ltd. and Firestar Diamond International Pvt. Ltd., from various banks in their current accounts as loans. The said amounts were utilized during the period from Feb, 2017 to May, 2017 for settling earlier credit obligations of the buyers by the Nirav Modi Group firms and also for paying overseas firms allegedly the suppliers of the said three entities/firms. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.



- 9.16. **Belvedere Holdings Group Ltd, British Virgin Islands**, was the entity fully controlled by Purvi Modi who received tainted funds. Belvedere holdings holds a property 103, Marathon House, Marylebone Road, London. Amount of CHF 13 Million was found lying in the bank account of Belvedere Holdings Group Ltd. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.
- 9.17. **Nirav Modi Ltd. London**, was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated and owns a bank account at Dattani Business Center, London, Harrow, UK. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.
- 9.18. **Yanike Properties Ltd.**, was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated and an amount of CHF 343,868.00 was found lying in the accounts of Yanike Properties Ltd maintained with EFG Bank, Switzerland. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Yanike Properties Ltd. and Shri. Nirav Modi were involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 9.19. **Diamond Holdings S.A., Switzerland**, was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Amount of CHF 2,151.00 was found lying in the EFG Bank account of Diamond Holdings S.A in Switzerland. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.
- 9.20. **Central Park Real Estate LLC**, USA was the owner of a property 50, Central Park South New York valued at USD 5 Million which subsequently was transferred to The Ithaca Trust. It was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant



in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

- 9.21. **Pavilion Point Corporation, British Virgin Islands** was entity fully controlled by Mr. Maiank Mehta and Ms. Purvi Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Amount of USD 6 Million was found lying in the bank account of Pavillion Point Corporation. Hence the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.
- 9.22 **Firestar Diamond International Private Limited:** was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. The company's Jewelry consignments cars and Fixed Deposits valued at approx. INR 4.80 crores have been attached as the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.
- 9.23 **Radashir Jewelry Company Private limited:** was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. The plant and machinery worth INR 2.32 crores have been attached as the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.
- 9.24 **Rhythm House Private Limited:** was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. An office space in Kohinoor City, Kurla worth Rs. 24.63 crores have been attached as the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.
- 9.25 **M/s Pacific Diamonds FZE, UAE** was the entity fully controlled by Mr. Nirav Modi in Dubai, which was received USD 424.80 Million from Proceeds of Crime and was used as a vehicle to launder the proceeds of crime, fraudulently generated. Huge amount of Proceeds of crime were transferred to Deepak Modi, Nirav Modi, Maiank Mehta, Fine Classic FZE and other



companies for laundering the same. The company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

9.26 M/s Fine Classic FZE, UAE was the entity fully controlled by Ms. Purvi Modi in Dubai, which was received more than USD 89 Million from proceeds of Crime from form Dubai based beneficiaries of Fraudulent LoUs and further transmitted it o Purvi Modi for further layering. The company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

9.27 M/s Firestar Diamond FZE, UAE was the entity fully controlled by Mr. Nirav Modi in Dubai, which was received more than USD 550 Million from Proceeds of Crime and was used as a vehicle to launder the proceeds of crime, fraudulently generated. Properties owned by Firestar Diamond FZE worth USD 7.79 Million were attached as the company has intentionally and deliberately acted as a special vehicle for laundering of proceeds and was a participant in the activity of money laundering as defined under Section 3 of the PMLA, 2002.

10. CONCLUSION OF INVESTIGATION UNDER PMLA: -

10.1 During the course of investigation conducted under PMLA, the scrutiny of the FIR, chargesheet, various bank records, other records/documents/media and statements of various persons recorded under PMLA, by this Directorate, it is learnt that Shri Gokulnath Shetty, the Dy. Manager (retd.), who was posted at the said branch (Mid Corporate Branch, Brady House, Mumbai) since 31.03.2010 and was working in the Foreign Exchange Department looking after the Import Section and other bank officials, Punjab National Bank had fraudulently issued LOUs to Mr. Nirav Modi owned firms namely M/s Diamond R US, M/s Solar Exports and M/s Stellar Diamond; without following prescribed procedure by obtaining required request applications, documents and approval of the authorities thereto and without making entries in the Bank system avoiding detection of the transactions, so made, transmitted SWIFT instructions to the overseas branches of Indian Banks for raising Buyers Credit & funding the Nostro



Accounts of PNB. The funds so raised for payment of Import Bills have not been utilized for such purposes in many cases.

10.2 During the course of investigation in the matter, it is found that the above said partnership firms have got fraudulently issued total 150 LOUs aggregating to USD 1015.35 million equivalent to Rs. 6498.20 crore during the period from Feb, 2017 to May, 2017 by using the above modus operandi, which remained outstanding. The said amount includes the LOUs amount mentioned in the subject FIR. The firm/entities wise breakup of the above mentioned LOUs amount is as under:-

Sr. No.	Name of the firm/entity	Total amount of LOUs (Rs. in crore)
1.	M/s Diamond R US	2210.61
2.	M/s Solar Export	2152.88
3.	M/s Stellar Diamond	2134.71
	Total	6498.20

Thus, the total proceeds of crime in the matter appear to be Rs.2210.61crore in respect of M/s Diamond R US; Rs. 2152.88 crore in respect of M/s Solar Export; Rs. 2134.71 crore in respect of M/s Stellar Diamond i.e. in total Rs. 6498.20 crore as the said funds were obtained by these firms/entities by cheating the PNB bank to fraudulently obtained LOUs.

10.3 Mr. Nirav Modi, was the Partner of Diamond R US, Solar Exports & Stellar Diamond till January, 2016. With effect from January 2016, he fraudulently made six other persons dummy partners of these firms in lieu of monthly payments of meager amounts. These persons had nothing to do with these firms and only used to sign documents brought to them. Even after change of partnership in January 2016, changes were not conveyed to PNB and the business of issuance of LoUs through fraud continued unabated. It was through these firms, that Mr. Nirav Modi defrauded the Punjab National Bank, a public-sector bank. He was the controlling authority and decision maker during the material period when the said fraud was perpetrated. He is the prime conspirator who devised the entire manner and mode of the fraud, conspiring with other accused to cheat the bank. The numerous amounts of proceeds of crime so generated through the said criminal activity have been siphoned off and laundered by him through various entities to other overseas companies and countries for concealment, layering and integration into main financial system through acquisition of properties or through investment in



financial assets. Part of proceeds of crime has also been brought back to India through a web of companies and layered to hide the criminal source of the funds.

10.4. He is the mastermind behind this behemoth scam, designing the entire scheme of fraud and the movement of the monies under the garb of export/import of diamonds & other jewelry. He has rotated the money received on the basis of fraudulent LoUs, to his own companies for further use and concealment, through a circuitous web of transactions. Through his calculated plan, he not only rotated the money but also the jewellery and precious stones, while inflating their value in order to justify the transactions made by him.

10.5. He has actively concealed his role and involvement in the scam by conducting the business through dummy directors and his other employees, to hoodwink the law enforcement authorities. He has also made efforts to obfuscate the investigation in tracing the proceeds of crime and its end use. Sh. Nirav Modi, having full knowledge of the nature and origin of the proceeds, intentionally and deliberately used, projected and claimed the same as untainted, laundering the same for his own personal gain. In this whole process of fraudulent transactions, he was assisted knowingly by his family members such as Ms. Purvi Modi @ Ms. Purvi Mehta, Mr. Nehal Modi, Mr. Neeshal Modi, Mr. Maiank Mehta etc. as well as his trusted aides like Mr. Aditya Nanavati, Mr. Mihir Bhansali and others.

10.6. Further it has come on the record in the statements of many related individuals recorded under section 50 (2) & (2) of PMLA, 2002, as mentioned in preceding paras, that the modus operandi of fraudulent import/export wherein there was no manufacturing activities in any of the dummy overseas companies, only import and export and sale amongst themselves (among group companies) were carried out. The invoices of export/import were overvalued to the huge extent, so as inflate the balance sheets and procure high credit facilities from the banks. The export/import were also not genuine and were just rotational transactions. The jewellery exported from India was dismantled and diamonds/pearls taken out of it and gold/silver were sent for melting. The melted metal was re-exported to Dubai or India and diamonds/pearls were also separately re-exported to India. The whole process was carried out without any substantial value addition and was only



for inflating the turnover of Indian companies, so as to acquire maximum credit facilities from the banks.

10.7. The money trail of this fraudulently acquired proceeds of crime or property involved in money laundering clearly shows that 2015 onwards, part of the funds was being used for repayment of earlier dues of the banks. On scrutiny of the bank account details of the said three accused entities, it is found that huge number of debits have been made from the accounts of these three accused entities maintained with PNB to the Firestar International Pvt. Ltd. and Firestar Diamond International Pvt. Ltd. The initial scrutiny of the accounts of these three accused entities revealed transfer of funds to the Firestar International Pvt. Ltd. and Firestar Diamond International Pvt. Ltd. Thus, it is apparent that the funds acquired by fraudulent means were siphoned off within country as well as to the overseas dummy companies owned and controlled by Mr. Nirav Modi himself. The ill-gotten money was used to procure assets and investments within the country as well as abroad.

From the investigation conducted so far, it emerges that the overseas Hong Kong and UAE based companies were nothing but the dummy companies opened at the behest of Mr. Nirav Modi. Directors & Shareholders of these companies were only dummy persons acting at the instructions of Mr. Nirav Modi and his trusted lieutenants. These companies had no genuine business and were only paper companies used for rotation of funds. These companies were formed only in order to facilitate layering and for laundering the funds obtained fraudulently from PNB and to camouflage the real intention and beneficiaries of the funds siphoned off from PNB.

It has also been ascertained that considerable portion of amount received fraudulently from PNB, was siphoned off from these dummy entities based in Hong Kong and UAE, controlled by Mr. Nirav Modi to Firestar Group and other related entities. Various properties and assets were created all over the world with the help of the proceeds of crime. For the purpose of creation of assets and investments, various paper companies/Trusts were opened and the proceeds of crime was siphoned off.

Based on the investigation conducted, key information regarding overseas investments of Mr. Nirav Modi was accumulated. With the help of this information, 18 LRs to various countries seeking legal assistance, were issued.



Based on the detailed investigations, many properties and bank accounts were unearthed and based on the bank statements, property documents and statements recorded of the concerned persons, under Section 50 [2] and [3] of PMLA, 2002 and the money trail derived during the course of investigation, properties worth value of Rs. 1873.08 Crore [approx.] (Market Value), in the form of movable and immovable properties, were provisionally attached under Section 5 of PMLA, 2002 vide 12 PAO Nos. PAO Nos. 02/2018 dated 24.02.2018, 06/2018 dated 21.05.2018, 07/2018 dated 30.05.2018, 12/2018 dated 06.09.2018, 13/2018 dated 11.09.2018, 14/2018 dated 17.09.2018, 15/2018 dated 17.09.2018, 16/2018 dated 18.09.2018, 17/2018 dated 05.10.2018, 20/2018 dated 24.10.2018, 22/2018 dated 02.11.2018 and 05/2019 dated 25.02.2019. Apart from these PAOs, during the search operations, seizures were made to the tune of Rs. 489.75 crore. The said properties were also attached by invoking the concept of "value of any such property" in terms of u/s 2 (1)(u) of PMLA, 2002, representing the value of PoC siphoned off abroad.

11. CHARGES UNDER PMLA, 2002 :-

- 11.1.** Mr. Nirav Modi was the Partner of Diamonds R US, Solar Exports & Stellar Diamond, the firms which defrauded the Punjab national Bank, a public sector bank. He was the controlling authority and the decision maker during the material period when the fraud was perpetrated. The proceeds of crime or property involved in money laundering generated through the said act has been siphoned off and laundered to various overseas companies and countries for concealment, layering and integration into main financial system through acquisition of properties or through investment in financial assets. He, therefore was an active and willful participant and the ultimate beneficiary in the generation of POC and the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002. The funds thus acquired are nothing but proceeds of crime acquired by carrying out criminal activities relating to scheduled offences as defined under Section 2(1)(u) of the PMLA, 2002. The proceeds of crime or property involved in money laundering were then further layered and used for purposes other than intended for and thereby, projected the same as untainted. As such, he has committed the offence of money laundering as defined under section 3 punishable under section 4 of PMLA, 2002.



- 11.2** Mr. Neeshal Deepak Modi was the partner of Diamonds R US, Solar Exports & Stellar Diamond, the firms which defrauded the Punjab national Bank, a public sector bank. He was also owner/director of the company Firestar Diamond BVBA, based in Belgium in which huge sums were transferred from Hong Kong based companies. The proceeds of crime generated through the said act has been siphoned off and laundered to various overseas companies and countries for concealment, layering and integration into main financial system through acquisition of properties or through investment in financial assets. He, therefore was an active participant in the generation of POC and the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.
- 11.3** **Shri Nehal Deepak Modi**, has knowingly and intentionally participated in assisting the activity of concealment of Money Laundering, destroying the evidence. He was personally overseeing that all the accounts, records were eliminated and was influencing the employees and participated in destroying the evidence in respect of Money trail. He also dealt with proceeds of crime by taking 50 kg. gold from Firestar Diamond FZE, Dubai after the initiation of investigation in this fraud. Shri Nehal Deepak Modi has participated in assisting the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.
- 11.4.** Ms. Purvi Mayank Mehta alias (Ms. Purvi Deepak Modi) is also owner/director of the company Fine Classik FZE and Lily Mountain Investment, Belvedere Holdings Group, Pavilion Point Corporation in which huge sums were transferred from Nirav Modi group companies. She actively and knowingly participated in the crime of money laundering and layering of the money thus acquired and was also the beneficiary of the proceeds of crime. The proceeds of crime generated through fraudulent acts, in all likelihood has been siphoned off and laundered to various overseas companies and countries for concealment, layering and integration into main financial system through acquisition of properties or through investment in financial assets. She, therefore was an active participant in the generation of POC and the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.
- 11.5.** Shri Maiank Mehta, has knowingly indulged himself in assisting the activity of Money Laundering as defined under Section 3 of PMLA, 2002 by diverting funds from Pacific Diamond FZE in his personal capacity as well as through



his company M/s Rosy Blue HK Ltd and is liable for punishment under Section 4 of PMLA, 2002.

- 11.6. Ms. Ami Nirav Modi, is the beneficial owner of 'The Ithaca Trust', in whose name the property at Central Park, New York was purchased from the money obtained through illegal means. Ms. Ami Nirav Modi has knowingly indulged herself in assisting the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.
- 11.7. Shri Deepak Kumar Modi, has knowingly and intentionally participated in assisting the activity of money laundering to project it as untainted property, concealment of Money and money Laundering, destroying the evidence, assisting the activity of money laundering as defined under Section 3 of PMLA, 2002, and is liable for punishment under Section 4 of PMLA, 2002.
- 11.8. Shri Gokulnath Shetty, the then Deputy Manager, Punjab National Bank was a key conspirator alongwith Mr. Nirav Modi in defrauding the bank with fraudulent transactions. He knowingly assisted and conspired with Mr. Nirav Modi and officials of Nirav Modi group of companies, in cheating Punjab National Bank, by allowing issuance of fraudulent LOUs against the established banking norms and regulations, abusing his official powers, and failing to observe mandatory safe guards in issuing such LOUs, thereby leading to generation of proceeds of crime in the instant case and its subsequent laundering by the accused as submitted in the preceding paras.
- 11.9. Shri Mihir Bhansali, knowingly assisted Mr. Nirav Modi in criminal conspiracy alongwith the other officials of Firestar group of companies and the bank officials of Punjab National Bank, in cheating the Punjab National Bank. He was an abettor of the crime thereby being directly involved in the generation of PoC and its laundering as stated in the preceding paras, and is liable for punishment under Section 4 of PMLA, 2002.
- 11.10. Shri Aditya Nanavati knowingly assisted Mr. Nirav Modi in criminal conspiracy alongwith the other officials of Firestar group of companies and the bank officials of Punjab National Bank, in cheating the Punjab National Bank. He was an abettor of the crime of money laundering and layering of the money thus acquired, thereby being directly involved in the generation of PoC and its laundering as stated in the preceding paras, and is liable for punishment under Section 4 of PMLA, 2002.



- 11.11.** Solar Exports, was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime through fraudulently generated. LOUs. Therefore, in terms of Section 70 (1) of the PMLA, 2002, M/s Aura Gems Company Limited, HK and Sh. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.12.** Stellar Diamond, was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime through fraudulently generated. LOUs. Therefore, in terms of Section 70 (1) of the PMLA, 2002, M/s Aura Gems Company Limited, HK and Sh. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.13.** Diamonds R US, was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime through fraudulently generated. LOUs. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Diamonds R US and Sh. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.14.** Firestar International Pvt. Ltd. was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Firestar International Pvt. Ltd and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.15.** Neeshal Merchandising Pvt. Ltd., was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, M/s Neeshal Merchandising Pvt. Ltd and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.16.** Belvedere holdings Ltd., was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Nirav Modi Trust and Sh. Nirav Modi have involved in the activity of Money



Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.

11.17. Nirav Modi Ltd., was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Firestone Trading Pvt. Ltd and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.

11.18. Yanike Properties Ltd., was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Mac Business Enterprises Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.

11.19. Diamond Holdings Ltd., was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Bentley Properties Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.

11.20. Central Park Real Estate LLC/Ithaca Trust, was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Bentley Properties Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.

11.21. Pavilion Point Corporation, was the entity fully controlled by Mr. Maiank Mehta and Ms. Purvi Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Bentley Properties Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.



- 11.22 Firestar Diamond International Private Limited:** was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Bentley Properties Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.23 Radashir Jewelry Company Private limited:** was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Bentley Properties Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.24 Rhythm House Private Limited:** was the entity fully controlled by Mr. Nirav Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Bentley Properties Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.25 Pacific Diamond FZE, UAE** was the entity fully controlled by Mr. Nirav Modi, which received Proceeds of crime directly and was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Bentley Properties Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.26 Fine Classic FZE, UAE** was the entity fully controlled by Ms. Purvi Modi, which was used as a vehicle to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Bentley Properties Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.
- 11.27 Firestar Diamond FZE, UAE** was the entity fully controlled by Mr. Nirav Modi, which received Proceeds of crime directly and was used as a vehicle



to launder the proceeds of crime, fraudulently generated. Therefore, in terms of Section 70 (1) of the PMLA, 2002, Bentley Properties Pvt. Ltd. and Shri. Nirav Modi have involved in the activity of Money Laundering as defined under Section 3 of PMLA, 2002, and are liable for punishment under Section 4 of PMLA, 2002.

12. PRAYER

12.1 It is most respectfully prayed that this Hon'ble Court may kindly be pleased to take cognizance of offence of Money Laundering defined under Section 3 and punishable under Section 4 of the Prevention of Money Laundering Act, 2002, and proceed against the below mentioned accused persons/entity and proceed in accordance with law:

1. Mr. Nirav Deepak Modi
2. Mr. Neeshal Deepak Modi
3. Mr. Nehal Deepak Modi
4. Ms. Purvi Maiank Mehta
5. Mr. Maiank Mehta
6. Ms. Ami Nirav Modi
7. Mr. Deepak Modi
8. Mr. Gokulnath Shetty
9. Mr. Mihir Bhansali
10. Mr. Aditya Nanavati
11. M/s Solar Exports
12. M/s Stellar Diamond
13. M/s Diamonds R US
14. M/s Firestar International Pvt. Ltd.
15. M/s Neeshal Merchandising.
16. M/s Belvedere Holdings.
17. M/s Nirav Modi Ltd.
18. M/s Yanike Properties Ltd.,
19. M/s Diamond Holdings Ltd.
20. M/s Central Park Real Estate LLC/Ithaca Trust
21. M/s Pavilion Point Corporation
22. M/s Firestar Diamond International Private Limited
23. M/s Radashir Jewelry Company Private limited
24. M/s Rhythm House Private Limited
25. M/s Pacific Diamonds FZE
26. M/s Fine Classic FZE
27. M/s Firestar Diamond FZE

12.2 It is also submitted that under Section 8(5) of the Act, the movable/immovable properties involved in money laundering or used for commission of offence of Money Laundering, which has been provisionally



attached vide PAO Nos 07/2018, 12/2018, 13/2018, 14/2018, 15/2018, 16/2018 17/2018, 20/2018, 22/2018 and 05/2019 and movable properties retained after seizure as mentioned in Para 7, may be ordered to be confiscated to the Central Government.

12.3 Any other order deemed appropriate in the facts and circumstances of this case.

12.4. Investigation is complete qua the properties mentioned on the body of the complaint as well as transactions mentioned therein, against the abovementioned accused persons. However, investigation is still in progress in respect of other properties/transactions/persons/entities. The Complainant craves leave of this Hon'ble Court for conducting further investigation and as and when investigation is complete in other aspects, to file supplementary complaint(s) in due course, if any.

12.5 The list of documents relied upon in the complaint on which the prosecution will rely, is annexed hereto and marked as **Annexure "I"**.

12.6 The Calendar of Evidences is annexed hereto and marked as **Annexure "II"**.

12.7 The list of witnesses to be examined at the time of trial is annexed hereto and marked as **Annexure- "III"**.

It is humbly prayed accordingly.

Solemnly affirmed at Mumbai,
This 28th day of February, 19.

(*A. Balaji*)
ASSISTANT DIRECTOR
DIRECTORATE OF ENFORCEMENT
MUMBAI ZONAL OFFICE, MUMBAI
(The complainant)



VERIFICATION

I, Archana Salaye, Assistant Director of Directorate of Enforcement, Mumbai Zonal Office, Government of India, Ministry of Finance, Department of Revenue, Mumbai, having its office at 4th Floor, "Kaiser-I-Hind", Currimbhoy Road, Ballard Estate, Mumbai-400001, do hereby state that whatever stated is true and correct to the best of my knowledge derieved from record.

Mumbai, th
On this 28 day of February, 2019

Asalaye
(Archana Salaye)
Assistant Director

Panel Counsel for the Applicant



Annexure-'I'

COPIES OF RELIED UPON DOCUMENTS TO THE COMPLAINT No. 2019 IN (ECIR No. ECIR/MBZO-I/03/2018)				
Annexure	Description of Document	From	To	
A	Copy of FIR bearing No. RCBSM2018E0001 dated 31.01.2018 registered by CBI, BS & FC, Mumbai	01	10	Vol 1
B	Copy of ECIR No. MBZO-I/03/2018 dated 14.02.2018	11	13	
C	Copy of PNB letters dated 13.02.2018 and 14.02.2018	14	22	
D	Copy of Charge sheet dated 14.05.2018 filed by CBI, BS& FC, Mumbai	23	93	
E	Copy of Prosecution Complaint No. 04/2018 dated 24 May 2018 filed before Hon'ble Spl PMLA Court, Mumbai	94	184	
F1	Copy of statement recorded u/s 50 (2) & (3) of PMLA dated 24/04/18, Shri Raghuraman Iyer, C.A., Financial and Investment Advisor to Mr. Nirav Modi	185	187	
F2	Copy of (Essex House, 160 Central Park South) purchase deed 2007 in value USD 4,99,5000 in the name of "M/s Central Park Real Estate LLC"	188	194	Vol-2
F3	Copy of Email dated 22.12.2016 from Ajay Gandhi to Puneet Bhandari alongwith the mortgage document dated 26.03.2007 titled "Central Park HSBC Mortgage Documents"	195	224	
F4	Copy of Submission from Maarten Van Den Noort of Amicorp Group alongwith the certificate u/s65(B) of Indian Evidence Act. (Emails dated 16.11.2018, 03.09.2018, 01.08.2018, 16.07/2018, 11.07.2018)	225	271	
F5	Copy of Email from Ajay Gandhi to Nirav Modi dated 18.09.2017 forwarding account statements of Ami Modi maintained in HSBC Bank.	272	277	
F6	Copy of Email forwarded to Nirav Modi to Ajay Gandhi dated 07-09-2017, enclosing a document named "LLC - Assignment to Trust Direction to be signed by DMS"	278	280	
F7	Copy of Draft assignment agreement document titled "Central Park South 50 Properties LLC - Assignment Agreement" forwarded by Mr. Nirav Modi to Mr. Ajay Gandhi by Email on 07-09-2017	281	282	
F8	Copy of Emails forwarded by Sandeep Mistry (account statement of Fine Classic FZE and Pacific Diamonds FZE) (Emails dated 08.09.2018, 11.09.2018, 14.09.2018, 20.09.2018 and 01.10.2018) alongwith certificate u/s 65(B) of Indian Evidence Act.	283	376	
F9	Copy of Email dated 19.12.2016 from Subhash Parab to Kavita Mankikar forwarding therewith a Draft	377	378	



	"Syndicate Bank Remittance Letter" (Transfer of USD 23 Million) London to Mauritius			
F10	Copies of Emails forwarded by Sandeep Mistry submitting account statement of Unique Diamond FZE and Pacific Diamonds FZE (Emails dated 30.01.2019) alongwith certificate u/s 65(B) of Indian Evidence Act. (as submitted by Sandeep Mistry)	379 631	630 884	Vol-3 and Vol-4
F11	Copies of Emails forwarded by Chaitanya D Shah dated 27.01.2019, 29.01.2019 and 01.02.2019 containing Documents related to ownership and incorporation of Dubai Based dummy companies.	885	1109	VOL-5
G	Copies of Summons issued to Mr. Nirav Modi	1110	1114	Vol 6
H	Copy of open ended Non Bailable Warrant dated 27.07.2018 issued by the Hon'ble Special PMLA Court, Mumbai against Mr. Nirav Modi	1115	1115	
I	Copy of Revocation order of Passport of Mr. Nirav Deepak Modi	1116	1116	
J1	Copy of statement of Ms. Nandita Mehta VP- Corporate Affairs, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 07.06.2018 alongwith copies of documents.	1117	1124	
J2	Copy of statement of Shri Nileshkumar Balvantrai Mistry, Manager of Hamilton Precious Traders Ltd FZCO recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 30.06.2018 alongwith copies of documents.	1125	1157	
J3	Copy of statements of Shri Ashish Kumar Mohanbhai Lad, Director, Unity Trading FZE recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 30.06.2018, 28.07.2018 and 17.08.2018 alongwith copies of documents.	1158	1203	
J4	Copy of statements of Shri Ashish Bajranglal Bagaria, Director, Eternal Diamonds Corporation Ltd., recorded under sub-section (2) and (3) of Section 50 of PMLA, 2002, on 05.07.2018 and 16.10.2018 alongwith copies of documents.	1204	1267	
J5	Copy of statements of Shri Bhavik Jayesh Shah, Director, Brilliant Diamonds Ltd., Hong Kong recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.07.2018 and 16.10.2018 alongwith copies of documents.	1268	1283	
J6	Copy of statement of Shri Jinesh Kirankumar Shah, Accountant (Firestar Diamond FZE), Director, Tricolour Gems FZE recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 09.06.2018 alongwith copies of documents.	1284	1319	



J7	Copy of statements of Shri Nilesh Veljibhai Khetani, Nominee Director, Fancy Creations Company Limited, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 03.07.2018 and 08.10.2018 alongwith copies of documents.	1320	1389	Vol-7
J8	Copy of statement of Shri Chhotala Shailesh Kumar, Ex- Manager Firestar International Pvt Limited, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 15.06.2018	1390	1392	
J9	Copy of statement of Shri Netaji Mohite, Manager of Vista Jewellery FZE, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 10.08.2018 alongwith copies of documents.	1393	1413	
J10	Copy of statement of Shri Samir Dalvi, Employee (resigned) of Fancy Creations Company Limited, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.07.2018 alongwith copies of documents.	1414	1419	
J11	Copy of statement of Shri Shreedhar Prakash Mayekar, Director of Unique Diamond and Jewellery FZC, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.07.2018 alongwith copies of documents.	1420	1434	
J12	Copy of statement of Shri Subey George, Executive (Universal Fine Jewellery FZE), Director - DG Brothers FZE, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 09.08.2018	1435	1440	
J13	Copy of statement of Shri Vipin Sanith, Manager of Fine Classic FZE and Director of Himalayan Traders FZE, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 09.08.2018	1441	1446	
J14	Copy of statement of Shri Pradeep Mhatre, AGM, IT (FIPL), recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 23.08.2018 alongwith copies of documents.	1447	1465	
J15	Copy of statement of Shri Sarfraz Varekar, Occupation: DY Manager, IT (Firestar International Private Limited), recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 23.08.2018	1466	1468	
J16	Copy of statements of Shri Sonu Shailesh Mehta, Director, Auragem Company Ltd, Hong Kong., recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 03.07.2018, 28.07.2018 alongwith copies of documents.	1469	1493	
J17	Copy of statement of Shri Shardindu Vajpayee, Managing Director -Amicorp Advisory services Pvt Limited (Mumbai Branch) recorded under sub-section	1494	1505	



	(2) & (3) of Section 50 of PMLA, 2002, on 06.07.2018 alongwith copies of documents.			
J18	Copy of statement of Shri Ravi Shanker Gupta, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 10.09.2018 alongwith copies of documents.	1506	1518	
J19	Copy of statement of Shri Shyam Sunder Wadhwa, Occupation: Service recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 04.02.19 alongwith copies of documents.	1519	1533	
J20	Copy of statement of Shri Pushpa Singh, Assistant Manager, Firestar Diamond, BVBA recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 01.06.2018 alongwith copies of documents.	1534	1549	
J21	Copy of statement of Shri Avneesh Nepalia, Deputy General Manager, Punjab National Bank (PNB) recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 03.10.2018 submitting Report of USA Examiner Mr. John C Carney alongwith copies of documents.	1550	1722	VOL 8
J22	Copy of statement of Shri Anees Fazalbhooy, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 06.09.2018 alongwith copies of documents.	1723	1776	
J23	Copy of statement of Shri Rushabh J. Jethwa, Owner, Empire Gems FZE recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 14.09.2018 alongwith copies of documents.	1777	1803	
J24	Copy of statement of Shri Ramesh M. Assar, CA, Director in some of Nirav Modi companies recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 05.09.2018 alongwith copies of documents.	1804	1816	
J25	Copy of statement of Smt. Kavita R. Mankikar, Executive Assistant to Chairman of Firestar Group (Nirav Modi) recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 18.04.2018	1817	1821	VOL 9
J26	Copy of statement of Shri Kurian Mathews, General Manager, Firestar Diamond FZE recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 10.01.2019 alongwith copies of documents.	1822	1858	
J27	Copy of statement of Shri Jubin Jose Varghese, Director, Universal Fine Jewellery FZE, recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 11.01.2019 alongwith copies of documents.	1859	1873	



J28	Copies of statements of Shri Saju Poulose Parokaran, General Manager, Firestar Diamond FZE recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 18.04.2018 & 23.01.2019 alongwith copies of documents.	1874	1896	
J29	Copy of statement of Shri Himanshu Trivedi, General Manager, Firestar Diamond FZE recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 24.01.2019 alongwith copies of documents.	1897	1902	
J30	Copy of email dated 23.07.2018 received from Mr. Li Tung Min	1903	1906	
J31	Copy of statement of Ms. Neha Mukesh Shinde, Partner in Magus Consultancy recorded under sub-section (2) & (3) of Section 50 of PMLA, 2002, on 13.02.2019 alongwith copies of documents.	1907	2187	VOL 10 (Including 1924-A)
K1	Copy of Provisional Attachment Order No. 02/2018 dated 24.02.2018	2188	2206	
K2	Copy of Provisional Attachment Order No. 06/2018 dated 21.05.2018	2207	2239	
K3	Copy of Provisional Attachment Order No. 07/2018 dated 30.05.2018	2240	2255	VOL 11
K4	Copy of Provisional Attachment Order No. 12/2018 dated 06.09.2018	2256	2271	
K5	Copy of Provisional Attachment Order No. 13/2018 dated 11.09.2018	2272	2286	
K6	Copy of Provisional Attachment Order No. 14/2018 dated 17.09.2018	2287	2304	
K7	Copy of Provisional Attachment Order No. 15/2018 dated 17.09.2018	2305	2327	
K8	Copy of Provisional Attachment Order No. 16/2018 dated 18.09.2018	2328	2346	
K9	Copy of Provisional Attachment Order No. 17/2018 dated 05.10.2018	2347	2365	
K10	Copy of Provisional Attachment Order No. 20/2018 dated 24.10.2018	2366	2386	
K11	Copy of Provisional Attachment Order No. 22/2018 dated 02.11.2018	2387	2403	
K12	Copy of Provisional Attachment Order No. 05/2019 dated 25.02.2019	2404	2426	
L	Copies of Confirmation orders of Adjudicating Authority for PAO 02/2018, 06/2018 and 07/2018. In OC No. 909/2018, 985/2018 and 988/2018.	2427	2628	VOL 12 (Including 2526-A)



Annexure-II
CALENDAR OF EVENTS: -

Sr. No.	Date	Events
1	31.01.2018	FIR bearing No. RCBSM2018E0001 registered by CBI, BS & FC, Mumbai
2	14.02.2018	Registering of ECIR bearing No. ECIR/MBZO-I/03/2018
3	24.02.2018	Issuance of Provisional Attachment Order No. 02/2018
5	14.05.2018	Charge sheet filed by CBI/BS & FC
6	21.05.2018	Issuance of Provisional Attachment Order No. 06 /2018
7	24.05.2018	Filing of Prosecution Complaint 04/2018 before Hon'ble Spl PMLA Court, Mumbai
8	30.05.2018	Issuance of Provisional Attachment Order No. 07/2018
9	06.09.2018	Issuance of Provisional Attachment Order No. 12/2018
10	11.09.2018	Issuance of Provisional Attachment Order No. 13/2018
11	17.09.2018	Issuance of Provisional Attachment Order No. 14/2018
12	17.09.2018	Issuance of Provisional Attachment Order No. 15/2018
13	18.09.2018	Issuance of Provisional Attachment Order No. 16/2018
14	05.10.2018	Issuance of Provisional Attachment Order No. 17/2018
15	24.10.2018	Issuance of Provisional Attachment Order No. 20/2018
16	02.11.2018	Issuance of Provisional Attachment Order No. 22/2018
17	25.02.2019	Issuance of Provisional Attachment Order No. 05/2019



ANNEXURE- "III".

**List of Witnesses in PMLA case No. /2019 in ECIR/MBZO-
I/03/2018**

Sr.	Name of the witness with address
1	Ms. Nandita Mehta Aged 43 years, occupation: consultant, Residence at 3rd floor, Naples Building, 9, Sobani Road., Cuffe Parade, Mumbai -05
2	Shri Nilesh Kumar Balvantrai Mistry, Aged 39 years, S/o Sh. Balvantrai Mistry, Occupation: Manager of Hamilton Precious Traders Limited FZCO R/o Room No 600, Rajnigandha Society, Bili, Dhobi Talao, Bili Naka, Bilimora, Distt Navsari 396321
3	Shri Ashish Kumar Mohanbhai Lad, Aged 36 years, S/o Sh. Mohanbhai Lalabhai Lad, Occupation: Director, Unity Trading FZE R/o 17C, Keshav Nagar, Bhestan, Surat, Gujarat-395023
4	Shri Ashish Banjranglal Bagaria, Aged 33 years, S/o Sh. Bajranglal Dwarkaprasad Bagaria, Occupation: Director, Eternal Diamonds Corporation, Hong Kong. R/o Room No. 6, Pragati Shopping Center, Daftary Road, Malad (E),
5	Shri Bhavik Jayesh Shah, Aged 33 years, S/o Sh. Jayeshbhai Channalal Shah, Occupation: Director, Brilliant Diamonds Limited, Hong Kong. R/o A-308, Shanti Park Apartment, Geeta Nagar, Near Fatak Road, Bhayander (W), Thane.
6	Shri Jinesh Kirankumar Shah, Aged 34 years, S/o Sh. Kirankumar Rasiklal Shah, Occupation: Accountant (Firestar Diamond FZE), Director, Tricolour Gems FZE R/o B-73, Kirti Sagar Tower, Satellite, Near Prerna Tirth, Derasar, Jodhpur, Ahmedabad, 380015.
7	Mr. Nilesh Valjibhai Khetani, Aged 38 years, son of Mr. Valjibhai Khetani, Occupation: Nominee Director, Fancy Creations Company Limited, Rio B-13, Mahan Apartment, Link Road, Anand Nagar, Dahisar (East), Mumbai
8	Shri Chhotala Shailesh Kuman, Aged 37 years, S/o Mathur Bhai, Occupation: Ex- Manager Firestar International Rrt Limited, Resident of 7, Rupnagar Society, near Dhruv park society, godadara, Surat City, Surat, Gujrat -395010
9	Shri Netaji Mohite, Aged 44 years s/o Shri Arjun Tukaram Mohite, Occupation: Manager of Vista Jewellery FZE, R/o B-104, Wing-C, Rajmata Co-operative Society, Near Janta Market, Kanmwar Nagar-2, Vikroli, Mumbai-82
10	Shri Sameer Dalvi, Aged 46 years, s/o Shri Kisan Darli, occupation: Employee (resigned) of Fancy creations Company Limited, Resident of: Bhavesh CHS Ltd, Flat No 302, ESIS Road, Ramchandra Nagar, No 2 Thane (west)
11	Shri Shreedhar Prakash Mayekar, Aged 27 years, S/o Late Shri Prakash Mayekar, Occupation: Director of Unique Diamond and Jewellery FZE, Resident of: H No. 417, Sawarkar Road, Tilakwadi, Belgaum, Karnataka
12	Shri Subey George, Aged 42 years, S/o Sh. Daniel George, Occupation: Executive (Universal Fine Jewellery FZE), Director, DG Brothers FZE, R/o 12- Inderlok Society, Near New ITI Crossing, Naroda Ahmedabad, Gujarat.



13	Vipin Sanith, Aged 26years, S/o Sh. Pathrose Edacheril, Occupation: Manager of Fine Classic FZE and Director of Himalayan Traders FZE, R/o Edacheril House, Niduvaloor, Post Chuzali, Kannur, Kerala, Pin 670142
14	Shri Pradeep Mhatre, Aged 46 years, S/o Sh. Laxman Balu Mhatre, Occupation: AGM, IT (Firestar International Private Limited), R/o Laxman Bhavan, Kalher Village, Thane-Bhiwandi Road, Mumbai-421302
15	Shri Sarfraz Varekar, Aged 38 years, S/o Sh. Mohammed Shafi Varekar, Occupation: DY Manager, IT (Firestar International Private Limited), R/o 701, Fatima Residency, Devidas Road, Mahagiri Thane-400601
16	Shri Sonu Shailesh Mehta, Aged 31 years, S/o Sh. Shailesh Daulatrai Mehta, Occupation: Director, Auragem Company Ltd, Hong Kong. R/o A-8, Swati Building, Chanda Worker Cross Road, Boriwali (W), Mumbai-92
17	Shri Shardindu Vajpayee Aged 42 years, S/o Shri. Devendra Vajpayee Occupation: Manager, Director, Amicorp Advisory services Pvt Limited (Mumbai Branch) #63, 6th Floor, Maker Chamber VI, Nariman Point, Mumbai (India) 400021, Residing at E-1701 Ashoka Gardens, Sewree, Mumbai 400015
18	Shri Ravi Shanker Gupta, Aged 50 years, S/o Shri Moji Ram Gupta, Occupation: Service, Resident of: P1/01, Tower 1, Paranuchal Park, Plot No GH 04, Sector 137, Noida, 201304
19	Shri Shyam Sunder Wadhwa, Aged 53 years, S/o Late Vashumal Wadhwa, Occupation: Service, Resident of: Bungalow No. 17, Atur Park, Sion Trombay Road, Chembur, Mumbai 400 017
20	Shri Pushpa Singh, Aged 49 years, D/o Sh. Jagdish Prasad Singh, Occupation: Assistant Manager, Firestar Diamond, BVBA R/o 66, -2872, Mangal Co-op Society, MHB Colony, Gandhi Nagar, Bandra (E), Mumbai-51.
21	Avneesh Nepalia, Aged 59 years, S/o Sh. A. L. Nepalia, Occupation: Deputy General Manager, Punjab National Bank, Mumbai Zonal Office, Resident of: 124/Jupitor Apartments, Cuffe Parade, Mumbai
22	Mr. Anees Fazalbhoy, Aged 58 years' S/o Mr. Fatehali Fazalbhoy, Occupation: Retired Investor, Resident of: 9 ,5th Floor, Kamal Mahal, Carmichael Road, Mumbai 400 A26
23	Shri Rushabh Jayantilal Jethwa, Aged 33 years, S/o Sh. Jayantilal Gulabchand Jethwa, Occupation: Accounts Manager (Firestar Dimaond FZE and Diagem FZE and others), Owner, Empire Gems FZE R/o 405, New Matruchhaya Darshan, Panch Parmeshwar Road, Kishan Nagar-I, Thane-400604.
24	Shri Ramesh Madhavdas Assar Aged 68 years, S/o Shri Madhav Narayandas Assar Occupation: Practicing Chartered accountant Director in some companies of Nirav Modi Group residing at 8-301, Nalanda, 10 R B Mehta Marg, Ghatkopar (East), Mumbai -400077
25	Shri Kavita Ravikiran Mankikar, Aged 53 years, w/o Sh. Ravikiran Mankikar, Occupation: Executive Assistant (Firestar International Private Limited), R/o Jer Villa, 3rd Road, TPS-III, Snatacruz (E) Mumbai-55.
26	Shri Kurian Mathews, Aged 58 years, S/o Vargese Mathews, Occupation: General Manager (Accounts) of Firestar Diamond FZE, Resident of: B-13, Shaguna Tenament, Behind Swami Narayan Temple, Harinagar Vasna road, Vadodara



27	Shri Jubin Jose Varughese, Aged 36 years, S/o Sh. Geevarghese Varghese, Occupation: Director (Universal Fine Jewellery FZE) R/o Pallivadakethill (H) Nanuvakadu P.O. Pathanamthitta, Kerala.
28	Mr. Saju Poullose Parokaran, Aged 51 years, son of P D Poullose, Occupation: General Manager (Accounts), Resident of: D-904, Akash Earth, Althan Bhlmrud , Canal road, Surat
29	Shri Himanshu Trivedi, Aged 51 years, S/o Late Pravinchandra M. Trivedi, Occupation: Service, Resident of: A-603, Vishwamilan Co-operative Society Ltd., Dhahanukar Wadi, Kandivali West, Mumbai 400067
30	Mrs Neha Mukesh Shinde Aged 50 years, W/o Shri Mukesh Shinde Occupation: Partner in Magus Consultancy, Residence at Alrwada Residence, Flat 403, Po Box 3+724, Dubai, UAE
31	Shri Kapil Raj, Deputy Director, C/O Enforcement Directorate, Kaiser-I-Hind, Currimboy Road, Ballard estate, Mumbai 400001.
32	Shri M. C. Reddy, Deputy Director, C/O Enforcement Directorate, Kaiser-I-Hind, Currimboy Road, Ballard estate, Mumbai 400001.
33	Mrs. Archana Salaye, Assistant Director, C/O Enforcement Directorate, Kaiser-I-Hind, Currimboy Road, Ballard estate, Mumbai 400001.
24	Shri D. C. Nahak, Assistant Director, C/O Enforcement Directorate, Kaiser-I-Hind, Currimboy Road, Ballard estate, Mumbai 400001.
35	Shri Mohit Godara, Enforcement Officer, C/O Enforcement Directorate, Kaiser-I-Hind, Currimboy Road, Ballard estate, Mumbai 400001.



IN THE COURT OF CITY CIVIL & SESSION COURT
GREATER BOMBAY
[DESIGNATED COURT UNDER THE PREVENTION
OF MONEY LAUNDERING ACT, 2002]

Special P.M.L.A. Case no. of 2019

IN

ECIR No. ECIR/MBZO-I/03/2018

Assistant Director
Directorate of Enforcement

Applicant

Versus

Mr. Nirav Modi

Accused

